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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

**FIRST SESSION
THIRTY-FOURTH PARLIAMENT**

**BILLS
AS INTRODUCED IN THE HOUSE
TOGETHER WITH
REPRINTS AND THIRD READINGS**

SESSION

November 3rd, 1987 to January 7th, 1988

February 8th to February 11th, 1988

April 5th to June 29th, 1988

and

October 17th, 1988 to March 2nd, 1989

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Bill Pr1

An Act respecting Canada Christian College and School of Graduate Theological Studies

Mr. Allen

1st Reading November 18th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr1

1987

**An Act respecting Canada Christian College and
School of Graduate Theological Studies**

Whereas Elmer McVety, W. Kenneth Robinson and John Wesley Tobey hereby represent that Canada Christian College and School of Graduate Theological Studies was founded in June of 1974 with the support of the Association for Education and Evangelism to establish, maintain and operate Christian Schools; that since its inception courses of study leading to diplomas in Bible and religious training have been conducted; and whereas the said applicants hereby apply for special legislation providing for the incorporation of Canada Christian College and School of Graduate Theological Studies as an institution having the power to grant degrees in the field of religious study; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“academic unit” means a faculty, institute, department or other academic division of the College so designated by the Board;

“Board” means the Board of Trustees of the College;

“College” means Canada Christian College and School of Graduate Theological Studies incorporated under section 2;

“faculty” means all persons employed by the College who hold the academic rank of professor, lecturer, instructor or librarian;

“student” means a person who is registered as such in a program or course of study at the College that leads to a degree, diploma or certificate of the College.

Incorporation

2. The members of the Board are hereby constituted a body corporate without share capital under the name of "Canada Christian College and School of Graduate Theological Studies".

Objects

3. The objects of the College are,

- (a) to provide instruction in higher Christian education for Christian faith and practice;
- (b) to prepare students to serve with competence in full-time Christian professions both at home and abroad; and
- (c) to equip students not anticipating full-time Christian service for positions of lay leadership and activity in Christian ministries.

Composition of Board

4.—(1) The Board shall be composed of the president of the College who shall be an *ex officio* member and not fewer than ten members and not more than fifteen members elected for a term of three years by the membership, provided that said members shall include,

- (a) at least three members elected as representatives of the Association for Education and Evangelism;
- (b) at least one member elected as a representative of the Presbyterian General Assembly (Korean-Canada);
- (c) at least one member elected as a representative of Pentecostal Holiness Denomination (Canadian District); and
- (d) at least one member elected as a representative of Senior Minister of Non-Denominational "Faith-Cathedral".

Term of office

(2) Subject to subsection (4), members of the Board shall hold office for a term of three years and shall not be eligible to serve for more than nine consecutive years but on the expiration of one year after having completed the ninth consecutive year a person is again eligible for membership on the Board.

Idem

(3) Service on the first Board or for the balance of an unexpired term shall not be included in the calculation of the nine consecutive years referred to in subsection (2).

(4) The Board may by by-law provide for the election and retirement in rotation of the members of the Board and may determine that one or more of the first members so elected shall serve for an initial term of less than three years.

Staggered
terms

(5) Until the Board is reconstituted in accordance with subsection (1), the members of the Board shall be the persons named in the Schedule hereto.

First Board

(6) Members of the Board shall serve without remuneration but may be reimbursed for reasonable expenses incurred by them in the performance of their duties as members of the Board.

Remuneration and
expenses

(7) No person shall be elected as a member of the Board unless the person is a Canadian citizen.

Canadian
citizenship

(8) Where a vacancy occurs among the members of the Board, the Board may appoint a new member to fill the vacancy and the person so appointed shall serve for the balance of the unexpired term of the vacating member.

Vacancies

5. The government, conduct, management and control of the College and of its property, revenues, expenditures, business and affairs are vested in the Board and the Board has all powers necessary or convenient to perform its duties and achieve the objects and purposes of the College including, without limiting the generality of the foregoing, the power,

Powers

- (a) to appoint the president of the College who shall be the chief academic officer and to define the duties and responsibilities of the president;
- (b) to appoint, promote, grant tenure and leave to and to suspend and remove members of the faculty and the academic officers;
- (c) to appoint committees and delegate thereto power and authority to act for the Board with respect to any matter or class of matters, but where power and authority to act for the Board are delegated to a committee, a majority of the members of the committee shall be members of the Board;
- (d) to manage the academic affairs of the College;
- (e) to award diplomas and certificates and to grant the degrees of Associate of Theology, Bachelor of Biblical Studies, Bachelor of Theology, Bachelor of Religious Education, Master of Theology, Master of

Biblical Studies, Master of Religious Education, Master of Divinity, Doctor of Ministry and Doctor of Theology;

(f) to confer honorary degrees; and

(g) to enact by-laws respecting the doctrinal statement of the College.

Chairman

6. There shall be a chairman of the Board elected by and from the Board who shall preside at all meetings of the Board.

Meetings
open to
public

7.—(1) Subject to subsections (2) and (3), meetings of the Board shall be open to the public and prior notice of such meetings shall be given to the members of the Board and to the public in such manner as the Board by by-law shall determine and no person shall be excluded from a meeting except for improper conduct as determined by the Board.

In camera
meetings

(2) Where matters confidential to the College are to be considered at a meeting of the Board, the part of the meeting concerning such matters may be held *in camera*.

Idem

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting of the Board, the part of the meeting concerning the individual shall be held *in camera* unless there is a mutual agreement to the contrary by the Board and the individual.

By-laws

(4) The by-laws of the College shall be open to examination by the public during normal office hours.

Idem

(5) The College shall publish its by-laws from time to time in such manner as the Board considers proper.

Audit

R.S.O. 1980,
c. 405

8.—(1) The Board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the College at least once each year.

Financial
report

(2) The annual audited statement of the College shall be made available to all supporters of the College in such manner as the Board may determine.

Non-profit
corporation

9. The College shall be carried on without the purpose of gain for the members of the Board and all profits or other accretions to the College shall be used in promoting its objects.

10. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed to one or more recognized charitable organizations in Canada having objects of an educational nature as similar as possible to those of the College. Dissolution

11. This Act comes into force on the day it receives Royal Assent. Commencement

12. The short title of this Act is the *Canada Christian College and School of Graduate Theological Studies Act, 1987*. Short title

SCHEDULE

First Trustees

Dr. Elmer S. McVety, M.A., Th.D., LL.D., North York, Ontario, President, Canada Christian College

Dr. W. Kenneth Robinson, Q.C., LL.D., Toronto, Ontario, Lawyer, Member of Canadian Parliament

Dr. John Wesley Tobey, B.A., M.Div., Th.D., Hamilton, Ontario, Minister, United Church of Canada

Dr. Harvey Eugene Atkinson Sparling, B.A., B.Th., M.A., M.Div., Th.D., North York, Ontario, Educator, Toronto Board of Education

Dr. Roger Hambley, M.A., Ph.D., Toronto, Ontario, Administrator and Professor of Psychology

Mr. Paul W. Johnson, Winnipeg, Manitoba, Director, Association for Education and Evangelism

Rev. A. W. McVety, B.R.E., Calgary, Alberta, Senior Minister, (C. & M.A.) Director, Association for Education and Evangelism

Mr. Gregory Crichton, Hamilton, Ontario, Teacher, Mohawk College, Director, Association for Education and Evangelism

Rev. Samuel Chang, B.A., M.Div., President, Presbyterian General Assembly (Korea—Canada)

Dr. Harry Nunn, M.Div., D.Min., Bishop, Pentecostal Holiness Denomination

Dr. Paul Melnichuk, D.D., Senior Minister, "Prayer Palace"

Bill Pr2

An Act to revive Big Cedar Association

Mr. Owen

<i>1st Reading</i>	February 8th, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is to revive Big Cedar Association.

Bill Pr2

1988

An Act to revive Big Cedar Association

Whereas Barbara Carrick, E.W. Maindonald, Mary Dame, Bruce Bone, David Stinson, Edwin Otten, E.F. Potma, David Abernethy, Brian Peterkin, Katherine Lloyd, Joel Ross and Edward Harris hereby represent that Big Cedar Association, herein called the Corporation, was incorporated by letters patent dated the 8th day of June, 1922; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are executive members and directors of the ongoing organization carried on in the name of the Corporation; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the recreational functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Big Cedar Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Big Cedar Association Act, 1988*.

Bill Pr2

*(Chapter Pr12
Statutes of Ontario, 1988)*

An Act to revive Big Cedar Association

Mr. Owen

<i>1st Reading</i>	February 8th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr2**1988****An Act to revive Big Cedar Association**

Whereas Barbara Carrick, E.W. Maindonald, Mary Dame, Bruce Bone, David Stinson, Edwin Otten, E.F. Potma, David Abernethy, Brian Peterkin, Katherine Lloyd, Joel Ross and Edward Harris hereby represent that Big Cedar Association, herein called the Corporation, was incorporated by letters patent dated the 8th day of June, 1922; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are executive members and directors of the ongoing organization carried on in the name of the Corporation; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the recreational functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

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Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Big Cedar Association Act, 1988*.

Bill Pr4

An Act respecting The Ottawa Civil Service Recreational Association

Mr. Chiarelli

1st Reading November 16th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr4

1987

**An Act respecting
The Ottawa Civil Service Recreational Association**

Whereas The Ottawa Civil Service Recreational Association, herein called the Association, hereby represents that it was incorporated by letters patent dated the 8th day of January, 1941; that the Association has a leasehold interest in certain lands and premises known municipally as 2451 Riverside Drive in the City of Ottawa in The Regional Municipality of Ottawa-Carleton, and more particularly described in the Schedule hereto, in which and on which it operates certain facilities and recreational and cultural programs for the benefit of the federal public service employees in general and more particularly for the federal public service employees of the City of Ottawa and for other residents of the City of Ottawa; that it is desirable that the real property and leasehold interests of the Association be exempted from taxation for municipal and school purposes, other than local improvement rates; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Ottawa may pass by-laws exempting the land, as defined in the *Assessment Act*, being the land and premises described in the Schedule, or any portion thereof, from taxes for municipal and school purposes, other than local improvement rates, so long as the land is owned or leased by the Association and occupied and used solely for the purposes of the Association.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

Deemed
exemption
R.S.O. 1980,
c. 439

3. For the purposes of subsection 121 (10) of the *Regional Municipality of Ottawa-Carleton Act*, the exemption from taxation granted under section 1 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.

Repeal

4. *The Ottawa Civil Service Recreational Association Act, 1960-61*, being chapter 121, is repealed.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *Ottawa Civil Service Recreational Association Act, 1987*.

SCHEDULE

The land and premises in the Township of Gloucester (now within the limits of the City of Ottawa) in the County of Carleton being composed of part of lots 19 and 20, Junction Gore of the said Township of Gloucester and more particularly described as follows:

PREMISING that the partition line, as described in Instrument No. 23936, and dividing that part of Lot 19, formerly owned by Hugh Braddish Billings, from that part of said Lot formerly owned by Charles M. Billings, has a bearing of north 84 degrees 22 minutes 53 seconds east, and relating all bearings herein thereto.

COMMENCING at the intersection of the division line between lots 19 and 20, Junction Gore, with the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625 and being now the property of the Federal District Commission;

THENCE south 31 degrees 21 minutes east and following the southeasterly prolongation of the northeasterly boundary of that part of Lot 19, 111.21 feet, more or less, to a point in a line drawn parallel with the division line between lots 19 and 20, Junction Gore, at a distance of 100 feet measured southerly therefrom and at right angles thereto;

THENCE north 84 degrees 35 minutes 53 seconds east, and following the said parallel line, 790 feet, more or less, to a point in a line drawn at right angles with the southerly boundary of Lot 19 and passing through a point in the said division line between the north and south halves of Lot 19, distant 250 feet measured westerly from the southeast angle of the lands described in Instrument No. 29128;

THENCE north 5 degrees 24 minutes 07 seconds west and at right angles to the southerly boundary of Lot 19, 1,290 feet, more or less, to the southeasterly boundary of that part of Lot 19 described in Instrument No. 6495 and owned by the Federal District Commission;

THENCE southwesterly and following the southeasterly boundary of Instrument No. 6495, 1,312 feet, more or less, to its intersection with the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625;

THENCE south 31 degrees 21 minutes east and following the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625, 369 feet, more or less, to the point of commencement.

Bill Pr4

An Act respecting The Ottawa Civil Service Recreational Association

Mr. Chiarelli

1st Reading November 16th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr4

1987

An Act respecting The Ottawa Civil Service Recreational Association


Whereas The Ottawa Civil Service Recreational Association, Preamble
herein called the Association, hereby represents that it was
incorporated as a corporation without share capital by letters
patent dated the 8th day of January, 1941; that the Association has a leasehold interest in certain lands and premises
known municipally as 2451 Riverside Drive in the City of
Ottawa in The Regional Municipality of Ottawa-Carleton, and
more particularly described in the Schedule hereto, in which
and on which it operates certain facilities and recreational and
cultural programs for the benefit of the federal public service
employees in general and more particularly for the federal
public service employees of the City of Ottawa and for other
residents of the City of Ottawa; that it is desirable that the
real property and leasehold interests of the Association be
partially exempted from taxation for municipal and school
purposes, other than local improvement rates, to the extent
that the lands, premises and facilities are used for cultural or
recreational purposes; and whereas the Association hereby
applies for special legislation for such purposes; and whereas
it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Ottawa may pass by-laws partially exempting the land, as defined in the *Assessment Act*, being the land and premises described in the Schedule, or any portion thereof, from taxes for municipal and school purposes, other than local improvement rates, so long as the exempted land is owned or leased by the Association and occupied and used solely for a cultural or recreational purpose of the Association that the council of The Corporation of the City of Ottawa considers to be a benefit to The Corporation of the City of Ottawa.

Tax
exemption

R.S.O. 1980,
c. 31

- Restriction (2) No exemption shall be granted under subsection (1) in respect of land that is used for a commercial purpose, even if that commercial purpose has a cultural or recreational aspect to it. 
- Conditions (3) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.
- Retroactive by-law 2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1989.
- Deemed exemption R.S.O. 1980, c. 439 3. For the purposes of subsection 121 (10) of the *Regional Municipality of Ottawa-Carleton Act*, the exemption from taxation granted under section 1 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.
- Repeal 4. *The Ottawa Civil Service Recreational Association Act, 1960-61*, being chapter 121, is repealed.
- Commence-ment 5. This Act comes into force on the day it receives Royal Assent.
- Short title 6. The short title of this Act is the *Ottawa Civil Service Recreational Association Act, 1989*.

SCHEDULE

The land and premises in the Township of Gloucester (now within the limits of the City of Ottawa) in the County of Carleton being composed of part of lots 19 and 20, Junction Gore of the said Township of Gloucester and more particularly described as follows:

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THENCE south 31 degrees 21 minutes east and following the southeasterly prolongation of the northeasterly boundary of that part of Lot 19, 111.21 feet, more or less, to a point in a line drawn parallel with the division line between lots 19 and 20, Junction Gore, at a distance of 100 feet measured southerly therefrom and at right angles thereto;

THENCE north 84 degrees 35 minutes 53 seconds east, and following the said parallel line, 790 feet, more or less, to a point in a line drawn at right angles with the southerly boundary of Lot 19 and passing through a point in the said division line between the north and south halves of Lot 19, distant 250 feet measured westerly from the southeast angle of the lands described in Instrument No. 29128;

THENCE north 5 degrees 24 minutes 07 seconds west and at right angles to the southerly boundary of Lot 19, 1,290 feet, more or less, to the southeasterly boundary of that part of Lot 19 described in Instrument No. 6495 and owned by the Federal District Commission;

THENCE southwesterly and following the southeasterly boundary of Instrument No. 6495, 1,312 feet, more or less, to its intersection with the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625;

THENCE south 31 degrees 21 minutes east and following the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625, 369 feet, more or less, to the point of commencement.

Bill Pr4

*(Chapter Pr1
Statutes of Ontario, 1989)*

An Act respecting The Ottawa Civil Service Recreational Association

Mr. Chiarelli

<i>1st Reading</i>	November 16th, 1987
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr4

1987

**An Act respecting
The Ottawa Civil Service Recreational Association**

Whereas The Ottawa Civil Service Recreational Association, herein called the Association, hereby represents that it was incorporated as a corporation without share capital by letters patent dated the 8th day of January, 1941; that the Association has a leasehold interest in certain lands and premises known municipally as 2451 Riverside Drive in the City of Ottawa in The Regional Municipality of Ottawa-Carleton, and more particularly described in the Schedule hereto, in which and on which it operates certain facilities and recreational and cultural programs for the benefit of the federal public service employees in general and more particularly for the federal public service employees of the City of Ottawa and for other residents of the City of Ottawa; that it is desirable that the real property and leasehold interests of the Association be partially exempted from taxation for municipal and school purposes, other than local improvement rates, to the extent that the lands, premises and facilities are used for cultural or recreational purposes; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Ottawa may pass by-laws partially exempting the land, as defined in the *Assessment Act*, being the land and premises described in the Schedule, or any portion thereof, from taxes for municipal and school purposes, other than local improvement rates, so long as the exempted land is owned or leased by the Association and occupied and used solely for a cultural or recreational purpose of the Association that the council of The Corporation of the City of Ottawa considers to be a benefit to The Corporation of the City of Ottawa.

Tax
exemptionR.S.O. 1980,
c. 31

Restriction

(2) No exemption shall be granted under subsection (1) in respect of land that is used for a commercial purpose, even if that commercial purpose has a cultural or recreational aspect to it.

Conditions

(3) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Retroactive
by-law

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1989.

Deemed
exemption
R.S.O. 1980,
cc. 439, 31

3. For the purposes of subsection 121 (10) of the *Regional Municipality of Ottawa-Carleton Act*, the exemption from taxation granted under section 1 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.

Repeal

4. *The Ottawa Civil Service Recreational Association Act, 1960-61*, being chapter 121, is repealed.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *Ottawa Civil Service Recreational Association Act, 1989*.

SCHEDULE

The land and premises in the Township of Gloucester (now within the limits of the City of Ottawa) in the County of Carleton being composed of part of lots 19 and 20, Junction Gore of the said Township of Gloucester and more particularly described as follows:

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THENCE south 31 degrees 21 minutes east and following the northeasterly boundary of that part of Lot 19 described in Instrument No. 39625, 369 feet, more or less, to the point of commencement.

Bill Pr5

An Act respecting The Chartered Institute of Marketing Management of Ontario

Ms Hart

<i>1st Reading</i>	February 8th, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr5**1988**

**An Act respecting The Chartered
Institute of Marketing Management of Ontario**

Whereas The Canadian Institute of Marketing/L'Institut Canadien du Marketing hereby represents that it was incorporated under the laws of Canada by letters patent dated the 19th day of May, 1983 and that it is desirous of creating a provincial institute to be known as The Chartered Institute of Marketing Management of Ontario, herein called the Institute, for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to grant to the members of the Institute the right to use the initials "M.C.Inst.M." or "AM.C.Inst.M." to indicate that the person is a member or associate member, respectively, of the Institute and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the Institute;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning.

2. The persons resident in Ontario who are members of The Canadian Institute of Marketing/L'Institut Canadien du Marketing on the day this Act comes into force and such other persons as become members of the Institute are constituted a body corporate without share capital under the name of "The Chartered Institute of Marketing Management of Ontario".

Institute
incorporated

3. The first board and officers of the Institute shall be those persons named in the Schedule and they shall hold

First
board

office until their successors are appointed or elected in accordance with this Act and the by-laws.

Objects

4. The objects of the Institute are,

- (a) to furnish the means and facilities by which members and students of the Institute may increase their knowledge, skill and efficiency in all things related to the business or profession of marketing;
- (b) to hold examinations and prescribe tests of competency to qualify for admission to membership in the Institute; and
- (c) to maintain discipline among members and students of the Institute.

Board of directors

5.—(1) The affairs of the Institute shall be managed by a board of directors that shall consist of not fewer than five or more than thirty-five members of the Institute, as the board may from time to time determine, elected from the membership to the Institute.

Idem

(2) Notwithstanding subsection (1), the Institute may by by-law provide for the appointment to the board of up to two persons who are not members of the Institute.

Matters covered by by-laws

(3) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the board and other necessary details shall be as set out in the by-laws.

Quorum

6. At any meeting of the board, a majority of the members of the board constitutes a quorum.

Chairman, etc.

7. The board shall elect from its number a chairman and vice-chairman and shall appoint a secretary-treasurer or a secretary and a treasurer, who need not be members of the board.

Vacancies

8. In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term and, for the purposes of this section, absence from three consecutive meetings of the board may be treated by the board as incapacity.

9. The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to him or her by this Act and such other duties as may be assigned by the board. Registrar

10. At any general or special meeting, members of the Institute may be represented by proxy and members may vote by proxy, but, Proxies

- (a) no proxy shall be exercised by a person who is not a member of the Institute; and
- (b) the proxy shall be exercised in accordance with the by-laws on voting and proxies.

11. The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute, and without restricting the generality of the foregoing, in addition to the matters specifically provided elsewhere in this Act, the board may pass by-laws, By-laws

- (a) prescribing the qualifications for and conditions of registration of members;
- (b) prescribing a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Institute shall be examined, and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) regulating and governing the conduct of members of the Institute in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice, and by providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence;
- (d) prescribing fees payable to the Institute;
- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Institute or the families of deceased members of the Institute who may require financial assistance and, for that purpose, providing for the receipt of

contributions or donations and for contributions from the funds of the Institute; and

- (g) authorizing the making of grants for any purpose that may tend to advance marketing knowledge and education, or improve standards of practice in the Institute or support and encourage public information and interest in the past and present role of the Institute in society.

Confirmation
of by-laws

12. Every by-law or change to an existing by-law is effective when it is passed by the board but expires with the close of the next annual meeting of the members of the Institute held after its passing, unless it is confirmed at that meeting.

Inspection
of by-laws

13. The by-laws of the Institute shall be open to examination by the public at the head office of the Institute during normal office hours.

Membership

14. The Institute shall grant a membership in the Institute to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is of good character;
- (b) is not less than eighteen years of age;
- (c) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (d) has passed such examinations as the board may set or approve in accordance with the by-laws.

Designation

15.—(1) Every registered member of the Institute may use after the member's name the initials "M.C.Inst.M." or "AM.C.Inst.M." indicating that the person is a registered member or associate member, respectively, of the Institute.

Offence

(2) Any person in Ontario who, not being a registered member of the Institute, takes or uses the initials "M.C.Inst.M." or "AM.C.Inst.M." or any word, name, title, initial or designation that implies or suggests that that person is a registered member or associate member of the Institute is guilty of an offence.

Register

16.—(1) The registrar of the Institute shall keep a register in which shall be entered the names of all members of the Institute in good standing and only those persons so registered

are members entitled to the privileges of membership in the Institute.

(2) The register shall be open to examination by the public at the head office of the Institute during normal office hours. Inspection of register

17.—(1) An individual who is qualified for membership in the Institute and who has been refused membership or a person who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court from the refusal to grant membership or from the sanction. Appeals

(2) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of a reasonable fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from. Record

18.—(1) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the registrar of the Institute, is sufficient evidence of all persons who are registered in lieu of the production of the original register, and any certificate upon such copy of the register purporting to be signed by a person in the capacity as registrar is proof, in the absence of evidence to the contrary, that the person is the registrar without proof of the person's signature or of that person being the registrar. Evidence

(2) The absence of the name of any person from a copy of the register produced under subsection (1) is proof, in the absence of evidence to the contrary, that the person is not registered. Idem

19. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a marketer in the Province of Ontario. Right to practice unaffected

20. Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members. Surplus

21. This Act comes into force on the day it receives Royal Assent. Commencement

22. The short title of this Act is the *Chartered Institute of Marketing Management of Ontario Act, 1988*. Short title

SCHEDULE

Peter Brunner

David N. Fenn

Patrick G. Field

James H. Jarrett

William C. Johnston

Peter L. Schwartz

Leonard G. Weeks

Peter T. Zarry

Bill Pr5

*(Chapter Pr13
Statutes of Ontario, 1988)*

**An Act respecting The Chartered
Institute of Marketing Management of Ontario**

Ms Hart

<i>1st Reading</i>	February 8th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

11

Bill Pr5**1988**

An Act respecting The Chartered Institute of Marketing Management of Ontario

Whereas The Canadian Institute of Marketing/L'Institut Canadien du Marketing hereby represents that it was incorporated under the laws of Canada by letters patent dated the 19th day of May, 1983 and that it is desirous of creating a provincial institute to be known as The Chartered Institute of Marketing Management of Ontario, herein called the Institute, for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to grant to the members of the Institute the right to use the initials "M.C.Inst.M." or "AM.C.Inst.M." to indicate that the person is a member or associate member, respectively, of the Institute and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the Institute;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning.

2. The persons resident in Ontario who are members of The Canadian Institute of Marketing/L'Institut Canadien du Marketing on the day this Act comes into force and such other persons as become members of the Institute are constituted a body corporate without share capital under the name of "The Chartered Institute of Marketing Management of Ontario".

Institute
incorporated

3. The first board and officers of the Institute shall be those persons named in the Schedule and they shall hold

First
board

office until their successors are appointed or elected in accordance with this Act and the by-laws.

Objects

4. The objects of the Institute are,

- (a) to furnish the means and facilities by which members and students of the Institute may increase their knowledge, skill and efficiency in all things related to the business or profession of marketing;
- (b) to hold examinations and prescribe tests of competency to qualify for admission to membership in the Institute; and
- (c) to maintain discipline among members and students of the Institute.

Board of directors

5.—(1) The affairs of the Institute shall be managed by a board of directors that shall consist of not fewer than five or more than thirty-five members of the Institute, as the board may from time to time determine, elected from the membership to the Institute.

Idem

(2) Notwithstanding subsection (1), the Institute may by by-law provide for the appointment to the board of up to two persons who are not members of the Institute.

Matters covered by by-laws

(3) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the board and other necessary details shall be as set out in the by-laws.

Quorum

6. At any meeting of the board, a majority of the members of the board constitutes a quorum.

Chairman, etc.

7. The board shall elect from its number a chairman and vice-chairman and shall appoint a secretary-treasurer or a secretary and a treasurer, who need not be members of the board.

Vacancies

8. In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term and, for the purposes of this section, absence from three consecutive meetings of the board may be treated by the board as incapacity.

9. The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to him or her by this Act and such other duties as may be assigned by the board. Registrar

10. At any general or special meeting, members of the Institute may be represented by proxy and members may vote by proxy, but, Proxies

- (a) no proxy shall be exercised by a person who is not a member of the Institute; and
- (b) the proxy shall be exercised in accordance with the by-laws on voting and proxies.

11. The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute, and without restricting the generality of the foregoing, in addition to the matters specifically provided elsewhere in this Act, the board may pass by-laws, By-laws

- (a) prescribing the qualifications for and conditions of registration of members;
- (b) prescribing a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Institute shall be examined, and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) regulating and governing the conduct of members of the Institute in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice, and by providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence;
- (d) prescribing fees payable to the Institute;
- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Institute or the families of deceased members of the Institute who may require financial assistance and, for that purpose, providing for the receipt of

contributions or donations and for contributions from the funds of the Institute; and

- (g) authorizing the making of grants for any purpose that may tend to advance marketing knowledge and education, or improve standards of practice in the Institute or support and encourage public information and interest in the past and present role of the Institute in society.

Confirmation
of by-laws

12. Every by-law or change to an existing by-law is effective when it is passed by the board but expires with the close of the next annual meeting of the members of the Institute held after its passing, unless it is confirmed at that meeting.

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of by-laws

13. The by-laws of the Institute shall be open to examination by the public at the head office of the Institute during normal office hours.

Membership

14. The Institute shall grant a membership in the Institute to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is of good character;
- (b) is not less than eighteen years of age;
- (c) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (d) has passed such examinations as the board may set or approve in accordance with the by-laws.

Designation

15.—(1) Every registered member of the Institute may use after the member's name the initials "M.C.Inst.M." or "AM.C.Inst.M." indicating that the person is a registered member or associate member, respectively, of the Institute.

Offence

(2) Any person in Ontario who, not being a registered member of the Institute, takes or uses the initials "M.C.Inst.M." or "AM.C.Inst.M." or any word, name, title, initial or designation that implies or suggests that that person is a registered member or associate member of the Institute is guilty of an offence.

Register

16.—(1) The registrar of the Institute shall keep a register in which shall be entered the names of all members of the Institute in good standing and only those persons so registered

are members entitled to the privileges of membership in the Institute.

(2) The register shall be open to examination by the public at the head office of the Institute during normal office hours. Inspection of register

17.—(1) An individual who is qualified for membership in the Institute and who has been refused membership or a person who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court from the refusal to grant membership or from the sanction. Appeals

(2) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of a reasonable fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from. Record

18.—(1) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the registrar of the Institute, is sufficient evidence of all persons who are registered in lieu of the production of the original register, and any certificate upon such copy of the register purporting to be signed by a person in the capacity as registrar is proof, in the absence of evidence to the contrary, that the person is the registrar without proof of the person's signature or of that person being the registrar. Evidence

(2) The absence of the name of any person from a copy of the register produced under subsection (1) is proof, in the absence of evidence to the contrary, that the person is not registered. Idem

19. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a marketer in the Province of Ontario. Right to practice unaffected

20. Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members. Surplus

21. This Act comes into force on the day it receives Royal Assent. Commencement

22. The short title of this Act is the *Chartered Institute of Marketing Management of Ontario Act, 1988*. Short title

SCHEDULE

Peter Brunner

David N. Fenn

Patrick G. Field

James H. Jarrett

William C. Johnston

Peter L. Schwartz

Leonard G. Weeks

Peter T. Zarry

Bill Pr6

An Act respecting the City of Ottawa

Mr. Morin

1st Reading October 20th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

SECTION 1. The purpose of this section, which enables The Corporation of the City of Ottawa to establish and maintain hospitals, is set out in the Preamble.

SECTION 2. This section would give licence inspectors the power to require the production of a driver's licence and vehicle permit from a person who is the driver of a cab, refreshment vehicle, driving school vehicle or other vehicle that is regulated under a licensing by-law of the City of Ottawa.

SECTION 3. This section re-enacts section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38. The number of trustees appointed to the Ottawa Civic Hospital by the council of The Corporation of the City of Ottawa is changed from twelve trustees to sixteen trustees.

Bill Pr6

1988

An Act respecting the City of Ottawa

Whereas The Corporation of the City of Ottawa, herein called the Corporation, was empowered by *The City of Ottawa Act, 1960-61*, being chapter 120, to establish and maintain hospitals; that the Corporation by by-law established the Riverside Hospital of Ottawa; that it is desirable to revise the special legislation; and whereas the Corporation, with the concurrence of the Riverside Hospital of Ottawa, hereby applies for special legislation in respect of the matters that pertain to the Riverside Hospital of Ottawa; and whereas the Corporation further applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may pass by-laws for the establishment, erection, furnishing and maintenance of a hospital for the reception, care and treatment of persons affected with a disability, disease or illness or of a hospital for convalescent persons and, subject to the approval of the Ontario Municipal Board, may pass by-laws for the issue of debentures therefor.

Establishment
and
maintenance
of hospital
authorized

(2) The management and control of each hospital established under subsection (1) is vested in a board of trustees.

Board of
trustees

(3) Subject to the *Public Hospitals Act*, the board of trustees shall,

Duties of
board of
trustees
R.S.O. 1980,
c. 410

(a) operate, maintain and manage the hospital; and

(b) manage all the real and personal property used for the purposes of the hospital.

(4) The board of trustees of each hospital shall be composed of,

Composition
of board

R.S.O. 1980,
c. 410

- (a) such persons as are provided for under the *Public Hospitals Act*;
- (b) the mayor of the City of Ottawa;
- (c) the executive director of the hospital;
- (d) the president of the hospital auxiliary; and
- (e) not fewer than eight nor more than eleven trustees appointed by the council of the Corporation.

Restriction

(5) Not more than three of the trustees appointed under clause (4) (e) shall be members of the council of the Corporation.

Residency
requirement
where
hospital land
outside City

(6) So long as land is owned or leased outside the City of Ottawa for the purposes of the hospital, at least one but not more than two trustees appointed under clause (4) (e) shall be a resident of The Regional Municipality of Ottawa-Carleton, but not of the City of Ottawa, at the time of the appointment.

Trustees
appointed by
Corporation

(7) The council of the Corporation may by by-law prescribe in respect of the trustees appointed under clause (4) (e),

- (a) the number of trustees;
- (b) the conditions of eligibility for appointment;
- (c) the time and manner of appointment;
- (d) the commencement of the term of office; and
- (e) the term of office.

Power of
board

(8) Each board of trustees, subject to the approval of the council of the Corporation, has the power to alter, expand or enlarge the hospital and establish other hospitals or similar institutions.

Real
property in
City

(9) The council of the Corporation may,

- (a) acquire by gift or purchase;
- (b) subject to the *Expropriations Act*, expropriate; or
- (c) lease,

R.S.O. 1980,
c. 148

any real property within the City of Ottawa that is necessary or desirable for the alteration, expansion or enlargement of

the hospital or for the establishment of other hospitals or similar institutions.

(10) The council of the Corporation may acquire by gift or purchase or lease any real property within The Regional Municipality of Ottawa-Carleton, but not within the City of Ottawa, that is necessary or desirable for the alteration, expansion or enlargement of the hospital or for the establishment of other hospitals or similar institutions.

Real
property in
region

(11) Each board of trustees is a corporation under such name as may be approved by the Lieutenant Governor in Council upon petition by the Corporation.

Corporation

(12) Subject to the *Public Hospitals Act*, each board of trustees may sell or dispose of any personal property no longer required for its purposes, but the proceeds derived from the sale or disposal shall be held and applied for the purposes of each board of trustees.

Disposal of
personal
property
R.S.O. 1980,
c. 410

(13) Except as provided by the *Public Hospitals Act* and subject to clause (4) (c), no member of the medical staff or employee of any hospital nor the spouse of a member or employee of any hospital is eligible to be a trustee of that hospital.

Persons
ineligible to
be trustees

(14) A trustee who is a member of the council of the Corporation shall cease to be a trustee on the day on which he or she ceases to be a member of the council of the Corporation.

Idem

(15) A trustee shall cease to be eligible to serve as a member of the board of trustees if any of the eligibility requirements set out in subsection (6) or prescribed by the council under clause (7) (b) are not maintained.

Idem

(16) Where a vacancy occurs among the members of the board of trustees who are appointed under clause (4) (e), the council of the Corporation shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating member, the appointee shall hold office for the remainder of the unexpired term of the vacating member.

Vacancies

(17) A majority of the members of each board of trustees constitutes a quorum, except that where there are vacancies on the board, a majority of the members in office constitutes a quorum.

Quorum

(18) Each board of trustees that is managing and controlling a hospital established under *The City of Ottawa Act*,

Continuation
of board of
trustees
1960-61,
c. 120

1960-61 is hereby continued as a corporation without share capital under this Act.

Transition

(19) Every member of the board of trustees of each hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Estimates to
be submitted
to council

(20) Before the beginning of the fiscal year of the hospital, each board of trustees shall submit to the council of the Corporation, for approval, estimates of its revenues and expenditures for the fiscal year in its operating fund and all reserve and trust funds, and estimates of expenditures in its capital fund for the next five fiscal years, together with an estimate of the sources of funding of such capital expenditures, including receipts from the sale of assets.

Preparing
estimates

(21) In preparing the estimates for the operating funds, the board of trustees shall make due allowance for a surplus of any previous year that will be available and shall provide for any operating deficit of any previous year and may provide for anticipated revenues on account of operations from all sources, including the Ministry of Health, any municipality, and transfers to or from other funds, but the board of trustees shall not budget for a surplus or deficit to be incurred in the fiscal year to which the estimates relate.

Restrictions
on issues of
debentures

(22) The board of trustees shall not authorize or proceed with, or provide any moneys for, any undertaking, work or project the cost of which is to be provided in whole or in part by the issue of debentures or other forms of long term debt or is to be provided in whole or in part from the revenues of a future year until the approval of the council of the Corporation has been obtained.

R.S.O. 1980,
c. 302
applies

(23) Subsection 71 (3) of the *Municipal Act* applies to the estimates referred to in subsection (20).

Financial
statements

(24) Each board of trustees shall deliver to the council of the Corporation a copy of the financial statements for each fiscal year, prepared by the auditors of the board of trustees, together with the comments of the auditors thereon, immediately after the financial statements have been approved by the board of trustees.

Appointment
of auditor

(25) The council of the Corporation shall appoint the auditor of each board of trustees in the same manner as it appoints its own auditor.

Powers of
board of
trustees

(26) Each board of trustees,

- (a) may enter into agreements to provide pension or superannuation benefits for the employees of its hospital under a plan approved by the Ministry of Health;
- (b) may invest in securities authorized by law for investment by trustees under the *Trustee Act*; R.S.O. 1980,
c. 512
- (c) subject to the *Public Hospitals Act*, may establish charges for hospital services; R.S.O. 1980,
c. 410
- (d) may enact by-laws and regulations for the operation and management of the hospital and for establishing the duties and responsibilities of the members of the board of trustees, including attendance requirements for meetings; and
- (e) may enter into an agreement with any municipal corporation in Ontario for the payment by the municipal corporation of a grant or grants to the board of trustees towards the capital cost of construction of the hospital or for equipment for the hospital.

(27) The by-laws and regulations made by a board of trustees before the coming into force of this Act remain valid in so far as they are not inconsistent with this Act until they are revoked or replaced. Transition

2.—(1) The chief licence inspector of the Corporation and the licence inspectors appointed by by-law have the power to require that the driver of, Driver's
licence and
vehicle
permit to be
produced

- (a) a cab or other vehicle used for hire or any class thereof;
- (b) a refreshment vehicle;
- (c) a driving school vehicle; or
- (d) any other class of vehicle that is regulated under a by-law passed by the council of the Corporation for the licensing, regulating and governing of any trade, calling, business or occupation or of the person carrying on or engaged in it,

surrender the licence to operate such vehicle for reasonable inspection by, and upon the demand of, the inspector.

Restriction (2) A by-law passed under subsection (1) does not empower a licence inspector to stop a moving vehicle.

3. Section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38, is repealed and the following substituted therefor:

Board of Trustees **4.—**(1) The affairs of the Corporation shall be managed by a Board of Trustees.

Composition of Board (2) The Board shall be composed of,

R.S.O. 1980, c. 410 (a) such persons as are provided for under the *Public Hospitals Act*;

(b) the mayor of the City of Ottawa;

(c) one nominee of the Ottawa Civic Hospital Auxiliary; and

(d) sixteen trustees appointed by the council of The Corporation of the City of Ottawa.

Residence requirement (3) A trustee appointed under clause (2) (d) shall, at the time of the appointment to the Board, be a resident of The Regional Municipality of Ottawa-Carleton and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Idem (4) At least eight of the trustees appointed under clause (2) (d) shall be residents of the City of Ottawa at the time of their appointment and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Restrictions (5) No officer or employee of the Corporation shall be appointed under clause (2) (d) as a trustee and not more than two of the trustees appointed under clause (2) (d) shall be members of the council of The Corporation of the City of Ottawa.

Term of office (6) The trustees appointed under clause (2) (d) shall serve for a term of three years and until their successors are appointed, but no such trustee shall serve for more than three consecutive terms, except, a trustee who has served three consecutive terms is again eligible for appointment to the Board on the expiration of one year after having completed the third of three consecutive terms.

(7) Service on the Board of The Trustees of the Ottawa Civic Hospital before the coming into force of this Act constitutes service on the Board for the purposes of subsection (6). Idem

(8) Where a vacancy occurs among the trustees appointed under clause (2) (d), the council of The Corporation of the City of Ottawa shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating trustee, the appointee shall hold office for the remainder of the unexpired term of the vacating trustee. Vacancies

(9) The Board may by resolution passed by two-thirds of the votes cast by the members present at a meeting duly called for the purpose declare the seat of a trustee appointed under clause (2) (d) vacant if, in the opinion of the Board, the member has contravened this Act or the by-laws of the Corporation. Declaration of vacancy

(10) The Board shall appoint annually at its first meeting in each fiscal year one of the trustees appointed under clause (2) (d) to be the chairperson and may appoint one of its trustees appointed under that clause to be vice-chairperson who shall, in the absence of the chairperson or if the office of the chairperson is vacant, act in the chairperson's place and the Board may appoint such other officers as the Board considers necessary. Chairperson, etc.

(11) Questions arising at any meeting of the Board shall be decided by a majority of votes. Votes

(12) The services of the trustees shall be given without remuneration, except for actual disbursements incurred in connection with the affairs of the Corporation and approved by the Board, but this subsection does not prevent an *ex officio* trustee from receiving a salary or other remuneration for his or her employment by or services rendered to the Corporation otherwise than as a trustee. Remuneration

(13) Every member of the Board of The Trustees of the Ottawa Civic Hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires. Transition

4. The following are repealed:

Repeals

1. Section 1 of *The City of Ottawa Act, 1960-61*, being chapter 120.

2. Section 1 of *The City of Ottawa Act, 1979*, being chapter 135.
3. Section 3 of *The City of Ottawa Act, 1980*, being chapter 118.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *City of Ottawa Act, 1988*.

Bill Pr6

An Act respecting the City of Ottawa

Mr. Morin

1st Reading October 20th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTES

SECTION 1. The purpose of this section, which enables The Corporation of the City of Ottawa to establish and maintain hospitals, is set out in the Preamble.

SECTION 2. This section would give licence inspectors the power to require the production of a driver's licence and vehicle permit from a person who is the driver of a cab, refreshment vehicle, driving school vehicle or other vehicle that is regulated under a licensing by-law of the City of Ottawa.

SECTION 3. This section re-enacts section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38. The number of trustees appointed to the Ottawa Civic Hospital by the council of The Corporation of the City of Ottawa is changed from twelve trustees to sixteen trustees.

Bill Pr6

1988

An Act respecting the City of Ottawa

Whereas The Corporation of the City of Ottawa, herein called the Corporation, was empowered by *The City of Ottawa Act, 1960-61*, being chapter 120, to establish and maintain hospitals; that the Corporation by by-law established the Riverside Hospital of Ottawa; that it is desirable to revise the special legislation; and whereas the Corporation, with the concurrence of the Riverside Hospital of Ottawa, hereby applies for special legislation in respect of the matters that pertain to the Riverside Hospital of Ottawa; and whereas the Corporation further applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may pass by-laws for the establishment, erection, furnishing and maintenance of a hospital for the reception, care and treatment of persons affected with a disability, disease or illness or of a hospital for convalescent persons and, subject to the approval of the Ontario Municipal Board, may pass by-laws for the issue of debentures therefor.

Establishment and maintenance of hospital authorized

(2) The management and control of each hospital established under subsection (1) is vested in a board of trustees.

Board of trustees

(3) Subject to the *Public Hospitals Act*, the board of trustees shall,

Duties of board of trustees
R.S.O. 1980,
c. 410

(a) operate, maintain and manage the hospital; and

(b) manage all the real and personal property used for the purposes of the hospital.

(4) The board of trustees of each hospital shall be composed of,

Composition of board

R.S.O. 1980,
c. 410

- (a) such persons as are provided for under the *Public Hospitals Act*;
- (b) the mayor of the City of Ottawa;
- (c) the executive director of the hospital;
- (d) the president of the hospital auxiliary; and
- (e) not fewer than eight nor more than eleven trustees appointed by the council of the Corporation.

Restriction

- (5) Not more than three of the trustees appointed under clause (4) (e) shall be members of the council of the Corporation.

Residency
requirement
where
hospital land
outside City

- (6) So long as land is owned or leased outside the City of Ottawa for the purposes of the hospital, at least one but not more than two trustees appointed under clause (4) (e) shall be a resident of The Regional Municipality of Ottawa-Carleton, but not of the City of Ottawa, at the time of the appointment.

Trustees
appointed by
Corporation

- (7) The council of the Corporation may by by-law prescribe in respect of the trustees appointed under clause (4) (e),

- (a) the number of trustees;
- (b) the conditions of eligibility for appointment;
- (c) the time and manner of appointment;
- (d) the commencement of the term of office; and
- (e) the term of office.

Power of
board

- (8) Each board of trustees, subject to the approval of the council of the Corporation, has the power to alter, expand or enlarge the hospital and establish other hospitals or similar institutions.

Real
property in
City

- (9) The council of the Corporation may,

- (a) acquire by gift or purchase;
- (b) subject to the *Expropriations Act*, expropriate; or
- (c) lease,

R.S.O. 1980,
c. 148

any real property within the City of Ottawa that is necessary or desirable for the alteration, expansion or enlargement of

the hospital or for the establishment of other hospitals or similar institutions.

(10) The council of the Corporation may acquire by gift or purchase or lease any real property within The Regional Municipality of Ottawa-Carleton, but not within the City of Ottawa, that is necessary or desirable for the alteration, expansion or enlargement of the hospital or for the establishment of other hospitals or similar institutions.

Real
property in
region

(11) Each board of trustees is a corporation under such name as may be approved by the Lieutenant Governor in Council upon petition by the Corporation.

Corporation

(12) Subject to the *Public Hospitals Act*, each board of trustees may sell or dispose of any personal property no longer required for its purposes, but the proceeds derived from the sale or disposal shall be held and applied for the purposes of each board of trustees.

Disposal of
personal
property
R.S.O. 1980,
c. 410

(13) Except as provided by the *Public Hospitals Act* and subject to clause (4) (c), no member of the medical staff or employee of any hospital nor the spouse of a member or employee of any hospital is eligible to be a trustee of that hospital.

Persons
ineligible to
be trustees

(14) A trustee who is a member of the council of the Corporation shall cease to be a trustee on the day on which he or she ceases to be a member of the council of the Corporation.

Idem

(15) A trustee shall cease to be eligible to serve as a member of the board of trustees if any of the eligibility requirements set out in subsection (6) or prescribed by the council under clause (7) (b) are not maintained.

Idem

(16) Where a vacancy occurs among the members of the board of trustees who are appointed under clause (4) (e), the council of the Corporation shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating member, the appointee shall hold office for the remainder of the unexpired term of the vacating member.

Vacancies

(17) A majority of the members of each board of trustees constitutes a quorum, except that where there are vacancies on the board, a majority of the members in office constitutes a quorum.

Quorum

(18) Each board of trustees that is managing and controlling a hospital established under *The City of Ottawa Act*,

Continuation
of board of
trustees
1960-61,
c. 120

1960-61 is hereby continued as a corporation without share capital under this Act.

Transition

(19) Every member of the board of trustees of each hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Estimates to
be submitted
to council

(20) Before the beginning of the fiscal year of the hospital, each board of trustees shall submit to the council of the Corporation, for approval, estimates of its revenues and expenditures for the fiscal year in its operating fund and all reserve and trust funds, and estimates of expenditures in its capital fund for the next five fiscal years, together with an estimate of the sources of funding of such capital expenditures, including receipts from the sale of assets.

Preparing
estimates

(21) In preparing the estimates for the operating funds, the board of trustees shall make due allowance for a surplus of any previous year that will be available and shall provide for any operating deficit of any previous year and may provide for anticipated revenues on account of operations from all sources, including the Ministry of Health, any municipality, and transfers to or from other funds, but the board of trustees shall not budget for a surplus or deficit to be incurred in the fiscal year to which the estimates relate.

Restrictions
on issues of
debentures

(22) The board of trustees shall not authorize or proceed with, or provide any moneys for, any undertaking, work or project the cost of which is to be provided in whole or in part by the issue of debentures or other forms of long term debt or is to be provided in whole or in part from the revenues of a future year until the approval of the council of the Corporation has been obtained.

R.S.O. 1980,
c. 302
applies

(23) Subsection 71 (3) of the *Municipal Act* applies to the estimates referred to in subsection (20).

Financial
statements

(24) Each board of trustees shall deliver to the council of the Corporation a copy of the financial statements for each fiscal year, prepared by the auditors of the board of trustees, together with the comments of the auditors thereon, immediately after the financial statements have been approved by the board of trustees.

Appointment
of auditor

(25) The council of the Corporation shall appoint the auditor of each board of trustees in the same manner as it appoints its own auditor.

Powers of
board of
trustees

(26) Each board of trustees,

- (a) may enter into agreements to provide pension or superannuation benefits for the employees of its hospital under a plan approved by the Ministry of Health;
- (b) may invest in securities authorized by law for investment by trustees under the *Trustee Act*;
- (c) subject to the *Public Hospitals Act*, may establish charges for hospital services;
- (d) may enact by-laws and regulations for the operation and management of the hospital and for establishing the duties and responsibilities of the members of the board of trustees, including attendance requirements for meetings; and
- (e) may enter into an agreement with any municipal corporation in Ontario for the payment by the municipal corporation of a grant or grants to the board of trustees towards the capital cost of construction of the hospital or for equipment for the hospital.

R.S.O. 1980,
c. 512

R.S.O. 1980,
c. 410

(27) The by-laws and regulations made by a board of trustees before the coming into force of this Act remain valid in so far as they are not inconsistent with this Act until they are revoked or replaced.

Transition


2.—(1) The council of the Corporation may pass by-laws requiring the driver of,

By-laws
requiring
surrender of
driver's
licence and
vehicle
permit

- (a) a cab or other vehicle used for hire or any class thereof;
- (b) a refreshment vehicle;
- (c) a driving school vehicle; or
- (d) any other class of vehicle that is regulated under a by-law passed by the council of the Corporation for the licensing, regulating and governing of any trade, calling, business or occupation or of the person carrying on or engaged in it,

to surrender for reasonable inspection, upon the demand of the chief licence inspector of the Corporation or a licence inspector appointed by by-law, his or her driver's licence issued under section 18 of the *Highway Traffic Act* or under the law of another jurisdiction and the permit for the vehicle

R.S.O. 1980,
c. 198

issued under section 7 of the *Highway Traffic Act* or under the law of another jurisdiction. 

Restriction

(2) A by-law passed under subsection (1) does not empower a licence inspector to stop a moving vehicle.

3. Section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38, is repealed and the following substituted therefor:

Board of
Trustees

4.—(1) The affairs of the Corporation shall be managed by a Board of Trustees.

Composition
of Board

(2) The Board shall be composed of,

R.S.O. 1980,
c. 410

- (a) such persons as are provided for under the *Public Hospitals Act*;
- (b) the mayor of the City of Ottawa;
- (c) one nominee of the Ottawa Civic Hospital Auxiliary;
- (d) sixteen trustees appointed by the council of The Corporation of the City of Ottawa.

Residence
requirement

(3) A trustee appointed under clause (2) (d) shall, at the time of the appointment to the Board, be a resident of The Regional Municipality of Ottawa-Carleton and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Idem

(4) At least eight of the trustees appointed under clause (2) (d) shall be residents of the City of Ottawa at the time of their appointment and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Restrictions

(5) No officer or employee of the Corporation shall be appointed under clause (2) (d) as a trustee and not more than two of the trustees appointed under clause (2) (d) shall be members of the council of The Corporation of the City of Ottawa.

Term of
office

(6) The trustees appointed under clause (2) (d) shall serve for a term of three years and until their successors are appointed, but no such trustee shall serve for more than three consecutive terms, except, a trustee who has served three consecutive terms is again eligible for appointment to the Board on the expiration of one year after having completed the third of three consecutive terms.

(7) Service on the Board of The Trustees of the Ottawa Civic Hospital before the coming into force of this Act constitutes service on the Board for the purposes of subsection (6). Idem

(8) Where a vacancy occurs among the trustees appointed under clause (2) (d), the council of The Corporation of the City of Ottawa shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating trustee, the appointee shall hold office for the remainder of the unexpired term of the vacating trustee. Vacancies

(9) The Board may by resolution passed by two-thirds of the votes cast by the members present at a meeting duly called for the purpose declare the seat of a trustee appointed under clause (2) (d) vacant if, in the opinion of the Board, the member has contravened this Act or the by-laws of the Corporation. Declaration of vacancy

(10) The Board shall appoint annually at its first meeting in each fiscal year one of the trustees appointed under clause (2) (d) to be the chairperson and may appoint one of its trustees appointed under that clause to be vice-chairperson who shall, in the absence of the chairperson or if the office of the chairperson is vacant, act in the chairperson's place and the Board may appoint such other officers as the Board considers necessary. Chairperson, etc.

(11) Questions arising at any meeting of the Board shall be decided by a majority of votes. Votes

(12) The services of the trustees shall be given without remuneration, except for actual disbursements incurred in connection with the affairs of the Corporation and approved by the Board, but this subsection does not prevent an *ex officio* trustee from receiving a salary or other remuneration for his or her employment by or services rendered to the Corporation otherwise than as a trustee. Remuneration

(13) Every member of the Board of The Trustees of the Ottawa Civic Hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires. Transition

4. The following are repealed:

Repeals

1. Section 1 of *The City of Ottawa Act, 1960-61*, being chapter 120.

2. Section 1 of *The City of Ottawa Act, 1979*, being chapter 135.
3. Section 3 of *The City of Ottawa Act, 1980*, being chapter 118.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *City of Ottawa Act, 1988*.

Bill Pr6

*(Chapter Pr47
Statutes of Ontario, 1988)*

An Act respecting the City of Ottawa

Mr. Morin

<i>1st Reading</i>	October 20th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr6

1988

An Act respecting the City of Ottawa

Whereas The Corporation of the City of Ottawa, herein called the Corporation, was empowered by *The City of Ottawa Act, 1960-61*, being chapter 120, to establish and maintain hospitals; that the Corporation by by-law established the Riverside Hospital of Ottawa; that it is desirable to revise the special legislation; and whereas the Corporation, with the concurrence of the Riverside Hospital of Ottawa, hereby applies for special legislation in respect of the matters that pertain to the Riverside Hospital of Ottawa; and whereas the Corporation further applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may pass by-laws for the establishment, erection, furnishing and maintenance of a hospital for the reception, care and treatment of persons affected with a disability, disease or illness or of a hospital for convalescent persons and, subject to the approval of the Ontario Municipal Board, may pass by-laws for the issue of debentures therefor.

Establishment and maintenance of hospital authorized

(2) The management and control of each hospital established under subsection (1) is vested in a board of trustees.

Board of trustees

(3) Subject to the *Public Hospitals Act*, the board of trustees shall,

Duties of board of trustees
R.S.O. 1980, c. 410

(a) operate, maintain and manage the hospital; and

(b) manage all the real and personal property used for the purposes of the hospital.

(4) The board of trustees of each hospital shall be composed of,

Composition of board

R.S.O. 1980,
c. 410

- (a) such persons as are provided for under the *Public Hospitals Act*;
- (b) the mayor of the City of Ottawa;
- (c) the executive director of the hospital;
- (d) the president of the hospital auxiliary; and
- (e) not fewer than eight nor more than eleven trustees appointed by the council of the Corporation.

Restriction

(5) Not more than three of the trustees appointed under clause (4) (e) shall be members of the council of the Corporation.

Residency
requirement
where
hospital land
outside City

(6) So long as land is owned or leased outside the City of Ottawa for the purposes of the hospital, at least one but not more than two trustees appointed under clause (4) (e) shall be a resident of The Regional Municipality of Ottawa-Carleton, but not of the City of Ottawa, at the time of the appointment.

Trustees
appointed by
Corporation

(7) The council of the Corporation may by by-law prescribe in respect of the trustees appointed under clause (4) (e),

- (a) the number of trustees;
- (b) the conditions of eligibility for appointment;
- (c) the time and manner of appointment;
- (d) the commencement of the term of office; and
- (e) the term of office.

Power of
board

(8) Each board of trustees, subject to the approval of the council of the Corporation, has the power to alter, expand or enlarge the hospital and establish other hospitals or similar institutions.

Real
property in
City

(9) The council of the Corporation may,

- (a) acquire by gift or purchase;
- (b) subject to the *Expropriations Act*, expropriate; or
- (c) lease,

R.S.O. 1980,
c. 148

any real property within the City of Ottawa that is necessary or desirable for the alteration, expansion or enlargement of

the hospital or for the establishment of other hospitals or similar institutions.

(10) The council of the Corporation may acquire by gift or purchase or lease any real property within The Regional Municipality of Ottawa-Carleton, but not within the City of Ottawa, that is necessary or desirable for the alteration, expansion or enlargement of the hospital or for the establishment of other hospitals or similar institutions.

Real
property in
region

(11) Each board of trustees is a corporation under such name as may be approved by the Lieutenant Governor in Council upon petition by the Corporation.

Corporation

(12) Subject to the *Public Hospitals Act*, each board of trustees may sell or dispose of any personal property no longer required for its purposes, but the proceeds derived from the sale or disposal shall be held and applied for the purposes of each board of trustees.

Disposal of
personal
property
R.S.O. 1980,
c. 410

(13) Except as provided by the *Public Hospitals Act* and subject to clause (4) (c), no member of the medical staff or employee of any hospital nor the spouse of a member or employee of any hospital is eligible to be a trustee of that hospital.

Persons
ineligible to
be trustees

(14) A trustee who is a member of the council of the Corporation shall cease to be a trustee on the day on which he or she ceases to be a member of the council of the Corporation.

Idem

(15) A trustee shall cease to be eligible to serve as a member of the board of trustees if any of the eligibility requirements set out in subsection (6) or prescribed by the council under clause (7) (b) are not maintained.

Idem

(16) Where a vacancy occurs among the members of the board of trustees who are appointed under clause (4) (e), the council of the Corporation shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating member, the appointee shall hold office for the remainder of the unexpired term of the vacating member.

Vacancies

(17) A majority of the members of each board of trustees constitutes a quorum, except that where there are vacancies on the board, a majority of the members in office constitutes a quorum.

Quorum

(18) Each board of trustees that is managing and controlling a hospital established under *The City of Ottawa Act*,

Continuation
of board of
trustees
1960-61,
c. 120

1960-61 is hereby continued as a corporation without share capital under this Act.

Transition

(19) Every member of the board of trustees of each hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Estimates to
be submitted
to council

(20) Before the beginning of the fiscal year of the hospital, each board of trustees shall submit to the council of the Corporation, for approval, estimates of its revenues and expenditures for the fiscal year in its operating fund and all reserve and trust funds, and estimates of expenditures in its capital fund for the next five fiscal years, together with an estimate of the sources of funding of such capital expenditures, including receipts from the sale of assets.

Preparing
estimates

(21) In preparing the estimates for the operating funds, the board of trustees shall make due allowance for a surplus of any previous year that will be available and shall provide for any operating deficit of any previous year and may provide for anticipated revenues on account of operations from all sources, including the Ministry of Health, any municipality, and transfers to or from other funds, but the board of trustees shall not budget for a surplus or deficit to be incurred in the fiscal year to which the estimates relate.

Restrictions
on issues of
debentures

(22) The board of trustees shall not authorize or proceed with, or provide any moneys for, any undertaking, work or project the cost of which is to be provided in whole or in part by the issue of debentures or other forms of long term debt or is to be provided in whole or in part from the revenues of a future year until the approval of the council of the Corporation has been obtained.

R.S.O. 1980,
c. 302
applies

(23) Subsection 71 (3) of the *Municipal Act* applies to the estimates referred to in subsection (20).

Financial
statements

(24) Each board of trustees shall deliver to the council of the Corporation a copy of the financial statements for each fiscal year, prepared by the auditors of the board of trustees, together with the comments of the auditors thereon, immediately after the financial statements have been approved by the board of trustees.

Appointment
of auditor

(25) The council of the Corporation shall appoint the auditor of each board of trustees in the same manner as it appoints its own auditor.

Powers of
board of
trustees

(26) Each board of trustees,

- (a) may enter into agreements to provide pension or superannuation benefits for the employees of its hospital under a plan approved by the Ministry of Health;
- (b) may invest in securities authorized by law for investment by trustees under the *Trustee Act*; R.S.O. 1980, c. 512
- (c) subject to the *Public Hospitals Act*, may establish charges for hospital services; R.S.O. 1980, c. 410
- (d) may enact by-laws and regulations for the operation and management of the hospital and for establishing the duties and responsibilities of the members of the board of trustees, including attendance requirements for meetings; and
- (e) may enter into an agreement with any municipal corporation in Ontario for the payment by the municipal corporation of a grant or grants to the board of trustees towards the capital cost of construction of the hospital or for equipment for the hospital.

(27) The by-laws and regulations made by a board of trustees before the coming into force of this Act remain valid in so far as they are not inconsistent with this Act until they are revoked or replaced. Transition

2.—(1) The council of the Corporation may pass by-laws requiring the driver of, By-laws requiring surrender of driver's licence and vehicle permit

- (a) a cab or other vehicle used for hire or any class thereof;
- (b) a refreshment vehicle;
- (c) a driving school vehicle; or
- (d) any other class of vehicle that is regulated under a by-law passed by the council of the Corporation for the licensing, regulating and governing of any trade, calling, business or occupation or of the person carrying on or engaged in it,

to surrender for reasonable inspection, upon the demand of the chief licence inspector of the Corporation or a licence inspector appointed by by-law, his or her driver's licence issued under section 18 of the *Highway Traffic Act* or under the law of another jurisdiction and the permit for the vehicle R.S.O. 1980, c. 198

issued under section 7 of the *Highway Traffic Act* or under the law of another jurisdiction.

Restriction

(2) A by-law passed under subsection (1) does not empower a licence inspector to stop a moving vehicle.

3. Section 4 of the *Ottawa Civic Hospital Act, 1983*, being chapter Pr38, is repealed and the following substituted therefor:

Board of
Trustees

4.—(1) The affairs of the Corporation shall be managed by a Board of Trustees.

Composition
of Board

(2) The Board shall be composed of,

R.S.O. 1980,
c. 410

(a) such persons as are provided for under the *Public Hospitals Act*;

(b) the mayor of the City of Ottawa;

(c) one nominee of the Ottawa Civic Hospital Auxiliary; and

(d) sixteen trustees appointed by the council of The Corporation of the City of Ottawa.

Residence
requirement

(3) A trustee appointed under clause (2) (d) shall, at the time of the appointment to the Board, be a resident of The Regional Municipality of Ottawa-Carleton and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Idem

(4) At least eight of the trustees appointed under clause (2) (d) shall be residents of the City of Ottawa at the time of their appointment and shall cease to be eligible to serve as a trustee if the residency requirement is not maintained.

Restrictions

(5) No officer or employee of the Corporation shall be appointed under clause (2) (d) as a trustee and not more than two of the trustees appointed under clause (2) (d) shall be members of the council of The Corporation of the City of Ottawa.

Term of
office

(6) The trustees appointed under clause (2) (d) shall serve for a term of three years and until their successors are appointed, but no such trustee shall serve for more than three consecutive terms, except, a trustee who has served three consecutive terms is again eligible for appointment to the Board on the expiration of one year after having completed the third of three consecutive terms.

(7) Service on the Board of The Trustees of the Ottawa Civic Hospital before the coming into force of this Act constitutes service on the Board for the purposes of subsection (6). Idem

(8) Where a vacancy occurs among the trustees appointed under clause (2) (d), the council of The Corporation of the City of Ottawa shall immediately appoint a person to fill the vacancy and, where the vacancy occurs before the expiry of the term of the vacating trustee, the appointee shall hold office for the remainder of the unexpired term of the vacating trustee. Vacancies

(9) The Board may by resolution passed by two-thirds of the votes cast by the members present at a meeting duly called for the purpose declare the seat of a trustee appointed under clause (2) (d) vacant if, in the opinion of the Board, the member has contravened this Act or the by-laws of the Corporation. Declaration of vacancy

(10) The Board shall appoint annually at its first meeting in each fiscal year one of the trustees appointed under clause (2) (d) to be the chairperson and may appoint one of its trustees appointed under that clause to be vice-chairperson who shall, in the absence of the chairperson or if the office of the chairperson is vacant, act in the chairperson's place and the Board may appoint such other officers as the Board considers necessary. Chairperson, etc.

(11) Questions arising at any meeting of the Board shall be decided by a majority of votes. Votes

(12) The services of the trustees shall be given without remuneration, except for actual disbursements incurred in connection with the affairs of the Corporation and approved by the Board, but this subsection does not prevent an *ex officio* trustee from receiving a salary or other remuneration for his or her employment by or services rendered to the Corporation otherwise than as a trustee. Remuneration

(13) Every member of the Board of The Trustees of the Ottawa Civic Hospital in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires. Transition

4. The following are repealed: Repeals

1. Section 1 of *The City of Ottawa Act, 1960-61*, being chapter 120.

2. Section 1 of *The City of Ottawa Act, 1979*, being chapter 135.
3. Section 3 of *The City of Ottawa Act, 1980*, being chapter 118.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *City of Ottawa Act, 1988*.



Bill Pr7

An Act respecting the Driving School Association of Ontario

Mr. Ferraro

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

The Bill provides for the continuation of the Driving School Association of Ontario as a corporation incorporated under a special Act of the Legislature.

Under the Bill, the members of the Association will be given the exclusive right to use the following designations:

1. Accredited Driving Instructor (A.D.I.),
2. Accredited Senior Instructor (A.S.I.),
3. Accredited Chief Instructor (A.C.I.), and
4. Accredited Driving School (A.D.S.).

Bill Pr7

1987

**An Act respecting the
Driving School Association of Ontario**

Whereas the Driving School Association of Ontario hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 21st day of November, 1979; that the Association is desirous of being continued as a corporation for the purpose of carrying out the objects of the Association and of the government and discipline of its members; and whereas the Association considers it desirable to grant to members of the Association the right to use certain designations as set out in section 8; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Association” means the Driving School Association of Ontario;

“Board” means the board of directors of the Association;

“by-law” means a by-law of the Association;

“registered” means registered as a member under this Act, and “registration” has a corresponding meaning.

2.—(1) The Driving School Association of Ontario is hereby continued as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and such other persons as hereafter become members of the Association constitute the corporation.

Association continued

(2) The members of the Board and the officers of the Association in office immediately prior to the coming into force of

Continuation of present Board

this Act are hereby continued in office until their successors are appointed or elected in accordance with this Act and the by-laws.

Letters
patent
revoked

(3) The letters patent of the Association are revoked, but the revocation of the letters patent does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act
corporation

(4) The Association shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Association are,

- (a) to improve the professional standards and promote the interests of its members in carrying out their duties as private professional driving instructors in the Province of Ontario;
- (b) to hold examinations and prescribe tests of competency deemed appropriate to qualify for admission to the various categories of membership in the Association;
- (c) to provide formal training and educational facilities to its members;
- (d) to hold conferences and meetings for the discussion of driver education;
- (e) to promote safe driving habits among the public;
- (f) to collect and publish copies of papers, lectures, information and other material and to perform other services of interest to members of the Association;
- (g) to determine and notify members of the Association and the public of by-laws and practices relevant to its members; and
- (h) to maintain discipline among its members.

Board of
directors

4.—(1) The affairs of the Association shall be managed by the board of directors.

Composition

(2) The Board shall consist of,

- (a) the immediate past president of the Association, *ex officio*; and
- (b) not fewer than twenty-one or more than thirty-five members of the Association, as the Board may from time to time determine, elected from the membership of the Association.

(3) The Association shall elect from the membership a president, a vice-president, a controller, a treasurer, a secretary and twelve regional vice-presidents who shall be members of the Board. Chairman,
etc.

(4) The manner of electing the members of the Board, the notification to the electors of the time and place of holding elections, the nominations of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the Board and other necessary details shall be as set out in the by-laws. Idem

(5) At any meeting of the Board, a majority of the members constitutes a quorum. Quorum

(6) In the case of the death, resignation or incapacity of any member of the Board, the office shall be declared vacant by the Board and the Board shall fill the vacancy in such manner as may be provided by the by-laws of the Association for the balance of the term and, for the purposes of this subsection, absence from three consecutive meetings of the Board may be treated by the Board as incapacity. Vacancies

(7) The Board shall appoint a registrar, who shall not be a member of the Board, and the registrar shall perform the functions assigned by this Act and such other duties as may be assigned by the Board. Registrar

5. At any general or special meeting, members of the Association may be represented and vote by proxy, but, Proxies

- (a) no proxy shall be exercised by a person who is not a member of the Association; and
- (b) the proxy shall be exercised in accordance with the by-laws on voting and proxies.

6.—(1) The Board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the general- By-laws

ity of the foregoing, in addition to the matters specifically provided elsewhere in this Act, the Board may pass by-laws,

- (a) establishing such categories of membership in the Association as the Board considers appropriate and prescribing the qualifications for and conditions of registration for members in the various categories;
- (b) prescribing a curriculum and courses of study to be pursued by candidates for admission to the various classes of membership and for prescribing minimum standards for admission as members of the Association and for granting certificates to candidates who have successfully passed the examinations;
- (c) regulating and governing the conduct of members of the Association in the practice of their business or professions, by prescribing a code of ethics, rules of professional conduct and standards of practice, and by providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence;
- (d) prescribing fees payable to the Association;
- (e) governing the calling, holding and conducting of meetings of the Board and of the members of the Association;
- (f) authorizing the spending of funds for any purpose that may tend to advance driver education in the Province, or improve standards of practice in driving instruction, or support and encourage public information and interest in the past and present role of driver education in society;
- (g) providing for the manner in which records and the making of reports are maintained and kept for the Association; and
- (h) providing for the custody and use of the seal of the Association.

Confirmation
of by-laws

(2) Every new by-law or change to an existing by-law is effective when it is passed by the Board but expires with the close of the next annual meeting of the members of the Association held after its passing, unless it is confirmed at the meeting.

(3) The by-laws of the Association shall be open to examination by the public at the head office of the Association during normal office hours. Inspection of
by-law

7.—(1) The Association shall grant a membership in the Association to any individual who applies therefor in accordance with the by-laws, if the individual, Membership

- (a) is of good character;
- (b) is not less than eighteen years of age;
- (c) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (d) has passed such examinations or obtained such qualifications as the Board may set or approve in accordance with the by-laws of the Association.

(2) The registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association. Register

(3) The register shall be open to examination by the public at the head office of the Association during normal office hours. Inspection of
register

(4) An individual who is qualified for membership in the Association who has been refused membership or a person who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court from the refusal to grant membership or from the sanction. Appeals

(5) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefore, the registrar shall furnish the party with a certified record of the proceeding that resulted in failure or a refusal to grant membership or the decision of the committee imposing a sanction including any documents received in evidence and the decision or order appealed from. Record

8.—(1) Every registered member of the Association who has satisfied the criteria as set out in the by-laws of the Association and who holds a valid driving instructor's licence issued by the Ministry of Transportation under the *Highway Traffic Act* may, Designation
R.S.O. 1980,
c. 198

- (a) use the designation "Accredited Driving Instructor", "Accredited Senior Instructor" or "Accredited Chief Instructor", as the case may be, and may use after the member's name the initials "A.D.I.", "A.S.I." or "A.C.I.", respectively; and
- (b) if applicable, use the designation "Accredited Driving School" and the initials "A.D.S."

Offence

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses any designation or any set of initials referred to in subsection (1) either alone or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that he or she is an Accredited Driving Instructor, Accredited Senior Instructor, Accredited Chief Instructor or Accredited Driving School is guilty of an offence.

Evidence

(3) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the registrar, is sufficient evidence of all persons who are registered in lieu of the production of the original register, and any certificate upon such copy of the register purporting to be signed by a person in the capacity as registrar is proof, in the absence of evidence to the contrary, that such a person is the registrar without any proof of the signature or of his or her being in fact the registrar.

Idem

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not registered.

Right to
practise
unaffected

9. This Act does not affect or interfere with the right of any person who is not a member of the Association to practise as a driving instructor or to operate a driving school in the Province of Ontario.

Surplus

10. Any surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Commence-
ment

11. This Act comes into force on the day it receives Royal Assent.

Short title

12. The short title of this Act is the *Driving School Association of Ontario Act, 1987*.

Bill Pr8

An Act respecting the City of Toronto

Mr. Offer

<i>1st Reading</i>	November 10th, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTES

SECTION 1. The proposed amendment increases the number of commissioners on The Parking Authority of Toronto from three to five.

SECTION 2. The provision now reads that the Toronto Historical Board shall be composed of one member of council, one member of the board of control and fifteen other members who are not members of council. The proposed amendment would alter the membership to be two members of council and fifteen other members who are not members of council.

SECTION 3. This section amends *The City of Toronto Act, 1961-62*, being chapter 171, to provide that the court of revision may apportion the total charge imposed for sewer or water charges among the owners of units in a row housing building. The section also provides that the apportioned amount shall be a lien on the owner's unit. There is an appeal to the Ontario Municipal Board from a decision of the court of revision.

SECTION 4. The proposed amendment increases the maximum time that council may refuse to issue a demolition permit for certain residential properties from 365 to 1,095 days from the date of the application therefor or the date of the issuance of the building permit for a new building, whichever is later. Where a demolition permit is withdrawn, the proposed amendment increases the time before a further application to demolish may be applied for from 365 to 1,095 days.

Bill Pr8

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 (2) of *The City of Toronto Act, 1952*, being chapter 139, as re-enacted by the Statutes of Ontario, 1983, chapter Pr30, section 5, is repealed and the following substituted therefor:

(2) The parking authority shall be a public commission and a body corporate and shall consist of five members, each of whom shall be a person qualified to be elected as a member of council and shall be appointed by the council for a term not exceeding the term of the council appointing them and until their successors are appointed.

Incorporation
and number
of members

2. Subsection 5 (2) of *The City of Toronto Act, 1958*, being chapter 160, as amended by the Statutes of Ontario, 1978, chapter 148, section 6, is repealed and the following substituted therefor:

(2) The historical board shall be a local board and a body corporate and shall consist of two members of council and fifteen other members.

Incorporation
and members

3. *The City of Toronto Act, 1961-62*, being chapter 171, is amended by adding thereto the following section:

1a.—(1) In this section,

Definitions

“row housing” means contiguous residential units separated by party walls and contained in a building other than a single family, double or duplex building;

“special roll” means a roll containing the name of the owner or owners of the building, a description of the land on which the building is erected or enlarged and the amount of the charge imposed on the building.

Apportionment
of special
charge

(2) Where a charge has been imposed under subsection 1 (1) on a building consisting of row housing, the court of revision may, upon the application of the Corporation or by or on behalf of an owner of a unit in the building whose name appears on a special roll, apportion the charge among the residential units in the building in the ratio that their gross floor area bears to the total gross floor area of the building.

Amounts
apportioned
to equal
total charge

(3) In apportioning a charge under subsection (2), the court of revision shall ensure that the total of the amounts apportioned equals the charge imposed.

Charge is
lien on land

(4) Each owner of a residential unit in a building consisting of row housing is liable for the charge apportioned under subsection (2) and the charge is a lien upon the land of such owner.

Appeal to
O.M.B.

R.S.O. 1980,
c. 250

(5) An appeal lies to the Ontario Municipal Board from a decision of the court of revision apportioning a charge and section 52 of the *Local Improvement Act* applies with necessary modifications.

4.—(1) Subsection 1 (2) of the *City of Toronto Act, 1984*, being chapter Pr6, is amended by striking out “365” in the ninth line and inserting in lieu thereof “1,095”.

(2) Subsection 1 (13) of the said Act is amended by striking out “365” in the sixth line and inserting in lieu thereof “1,095”.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. The short title of this Act is the *City of Toronto Act, 1987*.

Bill Pr8

An Act respecting the City of Toronto

Mr. Offer

1st Reading November 10th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTES

SECTION 1. The proposed amendment increases the number of commissioners on The Parking Authority of Toronto from three to five.

SECTION 2. The provision now reads that the Toronto Historical Board shall be composed of one member of council, one member of the board of control and fifteen other members who are not members of council. The proposed amendment would alter the membership to be two members of council and fifteen other members who are not members of council.

SECTION 3. This section amends *The City of Toronto Act, 1961-62*, being chapter 171, to provide that the court of revision may apportion the total charge imposed for sewer or water charges among the owners of units in a row housing building. The section also provides that the apportioned amount shall be a lien on the owner's unit. There is an appeal to the Ontario Municipal Board from a decision of the court of revision.

Bill Pr8

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 (2) of *The City of Toronto Act, 1952*, being chapter 139, as re-enacted by the Statutes of Ontario, 1983, chapter Pr30, section 5, is repealed and the following substituted therefor:

(2) The parking authority shall be a public commission and a body corporate and shall consist of five members, each of whom shall be a person qualified to be elected as a member of council and shall be appointed by the council for a term not exceeding the term of the council appointing them and until their successors are appointed. Incorporation and number of members

2. Subsection 5 (2) of *The City of Toronto Act, 1958*, being chapter 160, as amended by the Statutes of Ontario, 1978, chapter 148, section 6, is repealed and the following substituted therefor:

(2) The historical board shall be a local board and a body corporate and shall consist of two members of council and fifteen other members. Incorporation and members

3. *The City of Toronto Act, 1961-62*, being chapter 171, is amended by adding thereto the following section:

1a.—(1) In this section,

Definitions

“row housing” means contiguous residential units separated by party walls and contained in a building other than a single family, double or duplex building;

“special roll” means a roll containing the name of the owner or owners of the building, a description of the land on which the building is erected or enlarged and the amount of the charge imposed on the building.

Apportionment
of special
charge

(2) Where a charge has been imposed under subsection 1 (1) on a building consisting of row housing, the court of revision may, upon the application of the Corporation or by or on behalf of an owner of a unit in the building whose name appears on a special roll, apportion the charge among the residential units in the building in the ratio that their gross floor area bears to the total gross floor area of the building.

Amounts
apportioned
to equal
total charge

(3) In apportioning a charge under subsection (2), the court of revision shall ensure that the total of the amounts apportioned equals the charge imposed.

Charge is
lien on land

(4) Each owner of a residential unit in a building consisting of row housing is liable for the charge apportioned under subsection (2) and the charge is a lien upon the land of such owner.

Appeal to
O.M.B.

R.S.O. 1980,
c. 250

(5) An appeal lies to the Ontario Municipal Board from a decision of the court of revision apportioning a charge and section 52 of the *Local Improvement Act* applies with necessary modifications.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Toronto Act*, 1987.

Bill Pr8

*(Chapter Pr1
Statutes of Ontario, 1988)*

An Act respecting the City of Toronto

Mr. Offer

<i>1st Reading</i>	November 10th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988



Bill Pr8

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 (2) of *The City of Toronto Act, 1952*, being chapter 139, as re-enacted by the Statutes of Ontario, 1983, chapter Pr30, section 5, is repealed and the following substituted therefor:

(2) The parking authority shall be a public commission and a body corporate and shall consist of five members, each of whom shall be a person qualified to be elected as a member of council and shall be appointed by the council for a term not exceeding the term of the council appointing them and until their successors are appointed.

Incorporation
and number
of members

2. Subsection 5 (2) of *The City of Toronto Act, 1958*, being chapter 160, as amended by the Statutes of Ontario, 1978, chapter 148, section 6, is repealed and the following substituted therefor:

(2) The historical board shall be a local board and a body corporate and shall consist of two members of council and fifteen other members.

Incorporation
and members

3. *The City of Toronto Act, 1961-62*, being chapter 171, is amended by adding thereto the following section:

1a.—(1) In this section,

Definitions

“row housing” means contiguous residential units separated by party walls and contained in a building other than a single family, double or duplex building;

“special roll” means a roll containing the name of the owner or owners of the building, a description of the land on which the building is erected or enlarged and the amount of the charge imposed on the building.

Apportionment
of special
charge

(2) Where a charge has been imposed under subsection 1 (1) on a building consisting of row housing, the court of revision may, upon the application of the Corporation or by or on behalf of an owner of a unit in the building whose name appears on a special roll, apportion the charge among the residential units in the building in the ratio that their gross floor area bears to the total gross floor area of the building.

Amounts
apportioned
to equal
total charge

(3) In apportioning a charge under subsection (2), the court of revision shall ensure that the total of the amounts apportioned equals the charge imposed.

Charge is
lien on land

(4) Each owner of a residential unit in a building consisting of row housing is liable for the charge apportioned under subsection (2) and the charge is a lien upon the land of such owner.

Appeal to
O.M.B.

R.S.O. 1980,
c. 250

(5) An appeal lies to the Ontario Municipal Board from a decision of the court of revision apportioning a charge and section 52 of the *Local Improvement Act* applies with necessary modifications.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Toronto Act, 1988*.

Bill Pr9

An Act respecting the Charlotte Eleanor Englehart Hospital

Mr. Smith
(Lambton)

1st Reading June 16th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr9

1988

An Act respecting the Charlotte Eleanor Englehart Hospital

Whereas the Board of Trustees of Charlotte Eleanor Englehart Hospital hereby represents that the hospital was established under *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911; that it is desirable to establish a corporation under the name of Charlotte Eleanor Englehart Hospital in order that the hospital continue its operation as an incorporated entity and to permit the hospital corporation by by-law to determine the composition of the board of trustees; and whereas the hospital hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means the board of trustees of Charlotte Eleanor Englehart Hospital;

“hospital corporation” means Charlotte Eleanor Englehart Hospital incorporated under section 2.

2. The Charlotte Eleanor Englehart Hospital is established as a corporation without share capital and shall be composed of the persons who comprise its Board.

Corporation established

3. Despite any provision in the will of the late Charlotte Eleanor Englehart, dated the 31st day of October, 1908, the absolute control and management of the hospital corporation is vested in the Board.

Management of hospital by Board

4.—(1) Subject to the *Public Hospitals Act*, and despite any provision in the will of the late Charlotte Eleanor Englehart, dated the 31st day of October, 1908, the Board shall be

Composition of Board
R.S.O. 1980,
c. 410

composed of those members elected or appointed in such manner as the by-laws of the hospital corporation prescribe.

Adminis-
trative
by-laws

(2) All administrative matters respecting the Board including the term of office of the trustees and the filling of vacancies of the Board shall be established by by-law of the hospital corporation.

Powers

5. The Board has the power to operate the hospital and do all things necessary in connection therewith.

Transition

6.—(1) The members of the Board holding office immediately prior to the coming into force of this Act shall continue in office for the duration of the term for which they were appointed.

Transfer of
property

(2) All real and personal property owned, held, possessed or enjoyed by the hospital on the day this Act comes into force are vested in Charlotte Eleanor Englehart Hospital without the necessity of any grant, conveyance, transfer, assignment, or vesting thereof, but subject to all obligations, debts, mortgages, charges and liabilities affecting the hospital.

Idem

(3) All trusts, gifts, devises and bequests hereafter made to or in favour of or intended for Charlotte Eleanor Englehart Hospital shall be held and enjoyed by the hospital corporation.

Repeals

7. *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911 and *The Charlotte Eleanor Englehart Hospital Act, 1970*, being chapter 142, are repealed.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. The short title of this Act is the *Charlotte Eleanor Englehart Hospital Act, 1988*.

Bill Pr9

An Act respecting the Charlotte Eleanor Englehart Hospital

Mr. Smith
(Lambton)

1st Reading June 16th, 1988
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr9

1988

An Act respecting the Charlotte Eleanor Englehart Hospital

Whereas the Board of Trustees of Charlotte Eleanor Englehart Hospital hereby represents that the hospital was established under *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911; that the said Act was amended by the Statutes of Ontario, 1970, chapter 142; that it is desirable to establish a corporation under the name of Charlotte Eleanor Englehart Hospital in order that the hospital continue its operation as an incorporated entity and to permit the hospital corporation by by-law to determine the composition of the board of trustees; and whereas the hospital hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means the board of trustees of Charlotte Eleanor Englehart Hospital;

“hospital corporation” means Charlotte Eleanor Englehart Hospital incorporated under section 2.

2. The Charlotte Eleanor Englehart Hospital is established as a corporation without share capital and shall be composed of the persons who comprise its Board.

Corporation established

3. Despite any provision in the will of the late Charlotte Eleanor Englehart, dated the 31st day of October, 1908, the absolute control and management of the hospital corporation is vested in the Board.

Management of hospital by Board

4.—(1) Subject to the *Public Hospitals Act*, and despite any provision in the will of the late Charlotte Eleanor Engle-

Composition of Board
R.S.O. 1980,
c. 410

hart, dated the 31st day of October, 1908, the Board shall be composed of those members elected or appointed in such manner as the by-laws of the hospital corporation prescribe.

Adminis-
trative
by-laws

(2) All administrative matters respecting the Board including the term of office of the trustees and the filling of vacancies of the Board shall be established by by-law of the hospital corporation.

Powers

5. The Board has the power to operate the hospital and do all things necessary in connection therewith.

Transition

6.—(1) The members of the Board holding office immediately prior to the coming into force of this Act shall continue in office for the duration of the term for which they were appointed.

Transfer of
property

(2) All real and personal property owned by the hospital on the day this Act comes into force are vested in Charlotte Eleanor Englehart Hospital without the necessity of any grant, conveyance, transfer, assignment, or vesting thereof, but subject to all obligations, debts, mortgages, charges and liabilities affecting the hospital.

Idem

(3) All trusts, gifts, devises and bequests hereafter made to or in favour of or intended for Charlotte Eleanor Englehart Hospital shall be held and enjoyed by the hospital corporation.

Conflict

7. Where there is a conflict between a provision of *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911 and a provision of this Act, the provision of this Act prevails.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. The short title of this Act is the *Charlotte Eleanor Englehart Hospital Act, 1988*.

Bill Pr9

*(Chapter Pr48
Statutes of Ontario, 1988)*

An Act respecting the Charlotte Eleanor Englehart Hospital

Mr. Smith
(Lambton)

<i>1st Reading</i>	June 16th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988



Bill Pr9

1988

An Act respecting the Charlotte Eleanor Englehart Hospital

Whereas the Board of Trustees of Charlotte Eleanor Englehart Hospital hereby represents that the hospital was established under *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911; that the said Act was amended by the Statutes of Ontario, 1970, chapter 142; that it is desirable to establish a corporation under the name of Charlotte Eleanor Englehart Hospital in order that the hospital continue its operation as an incorporated entity and to permit the hospital corporation by by-law to determine the composition of the board of trustees; and whereas the hospital hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means the board of trustees of Charlotte Eleanor Englehart Hospital;

“hospital corporation” means Charlotte Eleanor Englehart Hospital incorporated under section 2.

2. The Charlotte Eleanor Englehart Hospital is established as a corporation without share capital and shall be composed of the persons who comprise its Board.

Corporation
established

3. Despite any provision in the will of the late Charlotte Eleanor Englehart, dated the 31st day of October, 1908, the absolute control and management of the hospital corporation is vested in the Board.

Management
of hospital
by Board

4.—(1) Subject to the *Public Hospitals Act*, and despite any provision in the will of the late Charlotte Eleanor Engle-

Composition
of Board
R.S.O. 1980,
c. 410

hart, dated the 31st day of October, 1908, the Board shall be composed of those members elected or appointed in such manner as the by-laws of the hospital corporation prescribe.

Adminis-
trative
by-laws

(2) All administrative matters respecting the Board including the term of office of the trustees and the filling of vacancies of the Board shall be established by by-law of the hospital corporation.

Powers

5. The Board has the power to operate the hospital and do all things necessary in connection therewith.

Transition

6.—(1) The members of the Board holding office immediately prior to the coming into force of this Act shall continue in office for the duration of the term for which they were appointed.

Transfer of
property

(2) All real and personal property owned by the hospital on the day this Act comes into force are vested in Charlotte Eleanor Englehart Hospital without the necessity of any grant, conveyance, transfer, assignment, or vesting thereof, but subject to all obligations, debts, mortgages, charges and liabilities affecting the hospital.

Idem

(3) All trusts, gifts, devises and bequests hereafter made to or in favour of or intended for Charlotte Eleanor Englehart Hospital shall be held and enjoyed by the hospital corporation.

Conflict

7. Where there is a conflict between a provision of *An Act to confirm the acceptance of the Charlotte Eleanor Englehart Hospital by the Town of Petrolia*, being chapter 144 of the Statutes of Ontario, 1911 and a provision of this Act, the provision of this Act prevails.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. The short title of this Act is the *Charlotte Eleanor Englehart Hospital Act, 1988*.

Bill Pr10

An Act respecting the Oshawa Public Utilities Commission

Mr. Breaugh

1st Reading December 3rd, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr10

1987

An Act respecting the Oshawa Public Utilities Commission

Whereas the Oshawa Public Utilities Commission, herein called the Commission, hereby applies for special legislation to enable it to pay the whole or part of the cost of the Ontario Health Insurance Plan and the whole or part of the cost of a supplementary health insurance plan for the spouses and children of deceased employees; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance in respect of hospital, medical, surgical, nursing or dental services and the payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Insurance,
hospitali-
zation, etc.R.S.O. 1980,
c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions
to plan under
R.S.O. 1980,
c. 197

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Oshawa Public Utilities Commission Act, 1987*.

Short title

Bill Pr10

*(Chapter Pr14
Statutes of Ontario, 1988)*

An Act respecting the Oshawa Public Utilities Commission

Mr. Breaugh

<i>1st Reading</i>	December 3rd, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr10

1987

An Act respecting the Oshawa Public Utilities Commission

Whereas the Oshawa Public Utilities Commission, herein called the Commission, hereby applies for special legislation to enable it to pay the whole or part of the cost of the Ontario Health Insurance Plan and the whole or part of the cost of a supplementary health insurance plan for the spouses and children of deceased employees; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance in respect of hospital, medical, surgical, nursing or dental services and the payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Insurance,
hospitali-
zation, etc.R.S.O. 1980,
c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions
to plan under
R.S.O. 1980,
c. 197

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Oshawa Public Utilities Commission Act, 1988*.

Short title

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Bill Pr11

An Act to revive L F P Management Limited

Mrs. Fawcett

1st Reading April 12th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr11

1988

An Act to revive L F P Management Limited

Whereas Louis F. Peters hereby represents that L F P Management Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of October, 1967; that the Minister of Consumer and Commercial Relations by order dated the 17th day of February, 1981 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act*, 1972, being chapter 143, and declared the Corporation to be dissolved on the 17th day of February, 1981; that the applicant was the president, general manager and a director of the Corporation at the time of dissolution; that default in filing the annual returns occurred by reason of inadvertence; that the Corporation at the time of its dissolution was actively carrying on the business authorized by its letters patent and since that time active business has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. L F P Management Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is the *L F P Management Limited Act, 1988*.

Short title



Bill Pr11

*(Chapter Pr15
Statutes of Ontario, 1988)*

An Act to revive L F P Management Limited

Mrs. Fawcett

<i>1st Reading</i>	April 12th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr11

1988

An Act to revive L F P Management Limited

Whereas Louis F. Peters hereby represents that L F P Management Limited, herein called the Corporation, was incorporated by letters patent dated the 10th day of October, 1967; that the Minister of Consumer and Commercial Relations by order dated the 17th day of February, 1981 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act*, 1972, being chapter 143, and declared the Corporation to be dissolved on the 17th day of February, 1981; that the applicant was the president, general manager and a director of the Corporation at the time of dissolution; that default in filing the annual returns occurred by reason of inadvertence; that the Corporation at the time of its dissolution was actively carrying on the business authorized by its letters patent and since that time active business has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. L F P Management Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is the *L F P Management Limited Act, 1988*.

Short title



Bill Pr12

An Act to revive the Centre for Educative Growth

Mr. Morin

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr12

1987

An Act to revive the Centre for Educative Growth

Whereas John Legg and J. Fred Gillespie hereby represent that the Centre for Educative Growth, hereinafter called the Corporation, was incorporated by letters patent dated the 12th day of November, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation of the Corporation for failure to comply with the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants were directors in good standing of the Corporation at the time of its dissolution; that notice of default in filing annual returns, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Centre for Educative Growth is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution, in the same manner as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Centre for Educative Growth Act, 1987*.

Bill Pr12

*(Chapter Pr2
Statutes of Ontario, 1988)*

An Act to revive the Centre for Educative Growth

Mr. Morin

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988



Bill Pr12

1987

An Act to revive the Centre for Educative Growth

Whereas John Legg and J. Fred Gillespie hereby represent Preamble
that the Centre for Educative Growth, hereinafter called the Corporation, was incorporated by letters patent dated the 12th day of November, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation of the Corporation for failure to comply with the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants were directors in good standing of the Corporation at the time of its dissolution; that notice of default in filing annual returns, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Centre for Educative Growth is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution, in the same manner as if it had not been dissolved. Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Centre for Educative Growth Act, 1988*.

Bill Pr13

An Act respecting Special Ability Riding Institute

Mr. Reycraft

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr13

1987

An Act respecting Special Ability Riding Institute

Whereas Special Ability Riding Institute, herein called the Institute, hereby represents that it was incorporated by letters patent dated the 26th day of June, 1978; that the Institute is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Institute are to promote the well-being of handicapped persons by means of horseback riding; that on the 28th day of January, 1980, the Institute acquired a freehold interest in the lands and premises described in the Schedule on which it operates its programs in accordance with its objects; and whereas the Institute hereby applies for special legislation to exempt the lands and premises described in the Schedule from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the Township of London may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Institute, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Institute.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Special Ability Riding Institute Act, 1987*.

Short title

SCHEDULE

Those lands and premises situate in the Township of London, in the County of Middlesex and being composed of Part of Lot 30, in Concession 6 of the said Township, more particularly designated as Part 1 on Plan 33R-3948 filed in the Land Registry Office for the Registry Division of Middlesex East (No. 33).

Bill Pr13

*(Chapter Pr3
Statutes of Ontario, 1988)*

An Act respecting Special Ability Riding Institute

Mr. Reycraft

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988



Bill Pr13

1987

An Act respecting Special Ability Riding Institute

Whereas Special Ability Riding Institute, herein called the Institute, hereby represents that it was incorporated by letters patent dated the 26th day of June, 1978; that the Institute is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Institute are to promote the well-being of handicapped persons by means of horseback riding; that on the 28th day of January, 1980, the Institute acquired a freehold interest in the lands and premises described in the Schedule on which it operates its programs in accordance with its objects; and whereas the Institute hereby applies for special legislation to exempt the lands and premises described in the Schedule from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the Township of London may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Institute, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Institute.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Special Ability Riding Institute Act, 1988*.

Short title

SCHEDULE

Those lands and premises situate in the Township of London, in the County of Middlesex and being composed of Part of Lot 30, in Concession 6 of the said Township, more particularly designated as Part 1 on Plan 33R-3948 filed in the Land Registry Office for the Registry Division of Middlesex East (No. 33).

Bill Pr14

An Act respecting York Fire & Casualty Insurance Company

Mr. Cousens

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr14

1987

An Act respecting York Fire & Casualty Insurance Company

Whereas York Fire & Casualty Insurance Company, herein called the Company, hereby represents that York Fire & Casualty Company was incorporated under the laws of the Province of Ontario by letters patent dated the 30th day of September, 1955; that the said letters patent were amended by supplementary letters patent dated the 30th day of November, 1955; that the Company received letters patent approving its amalgamation with Transportation Fire & Casualty Company on the 30th day of December, 1977 under the name of York Fire & Casualty Insurance Company; that the letters patent of amalgamation were amended by supplementary letters patent dated the 29th day of November, 1983, the 25th day of October, 1985 and the 19th day of February, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of the letters patent together with a copy of the letters patent certified by

Items to be
filed

R.S.O. 1980,
c. 95

the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Minister's
certificate

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *York Fire & Casualty Insurance Company Act, 1987*.

Bill Pr14

An Act respecting York Fire & Casualty Insurance Company

Mr. Cousens

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr14

1987

**An Act respecting
York Fire & Casualty Insurance Company**

Whereas York Fire & Casualty Insurance Company, herein called the Company, hereby represents that York Fire & Casualty Company was incorporated under the laws of the Province of Ontario by letters patent dated the 30th day of September, 1955; that the said letters patent were amended by supplementary letters patent dated the 30th day of November, 1955; that the Company received letters patent approving its amalgamation with Transportation Fire & Casualty Company on the 30th day of December, 1977 under the name of York Fire & Casualty Insurance Company; that the letters patent of amalgamation were amended by supplementary letters patent dated the 29th day of November, 1983, the 25th day of October, 1985 and the 19th day of February, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada or the Minister of Finance, as applicable for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of the letters patent together with a copy of the letters patent certified by

Items to be
filed

R.S.O. 1980,
c. 95

the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Minister's
certificate

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *York Fire & Casualty Insurance Company Act, 1987*.

Bill Pr14

*(Chapter Pr4
Statutes of Ontario, 1988)*

An Act respecting York Fire & Casualty Insurance Company

Mr. Cousens

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr14

1987

An Act respecting York Fire & Casualty Insurance Company

Whereas York Fire & Casualty Insurance Company, herein called the Company, hereby represents that York Fire & Casualty Company was incorporated under the laws of the Province of Ontario by letters patent dated the 30th day of September, 1955; that the said letters patent were amended by supplementary letters patent dated the 30th day of November, 1955; that the Company received letters patent approving its amalgamation with Transportation Fire & Casualty Company on the 30th day of December, 1977 under the name of York Fire & Casualty Insurance Company; that the letters patent of amalgamation were amended by supplementary letters patent dated the 29th day of November, 1983, the 25th day of October, 1985 and the 19th day of February, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada or the Minister of Finance, as applicable for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of the letters patent together with a copy of the letters patent certified by

Items to be
filed

R.S.O. 1980,
c. 95

the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Minister's
certificate

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *York Fire & Casualty Insurance Company Act, 1988*.

Bill Pr15

An Act respecting the City of Toronto

Mr. Kanter

1st Reading June 7th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

SECTION 1. The purpose of this section is to enable the council of The Corporation of the City of Toronto to prohibit the operation of horse race tracks on Sunday and to regulate the hours in which horse race tracks may be operated.

The penalty for a violation of the by-law is set out in subsection (2). It provides for a maximum \$25,000 fine for a first offence and a maximum of \$100,000 fine for a subsequent offence for every day that the offence continues.

SECTION 2. The purpose of this section is to enable the council to prohibit persons from causing or permitting refuse or debris to be placed, deposited or blown on to private property, municipal property or property of a local board without authority from the owner or occupant.

Bill Pr15

1988

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Despite the *Racing Commission Act*, the council of the Corporation may pass by-laws,

By-laws
respecting
race tracks
R.S.O. 1980,
c. 429

- (a) for prohibiting the operation on Sunday of race tracks at which any form of horse racing is carried on;
- (b) for regulating the hours of operation of race tracks at which any form of horse racing is carried on and for prohibiting the operation of race tracks at any time other than during the hours permitted by the by-law.

(2) The by-law may provide that any person, whether as principal or agent, or an employee of either of them, who contravenes a by-law passed under subsection (1) is guilty of an offence and on conviction is liable for a first offence to a fine of not more than \$25,000 and for a subsequent conviction to a fine of not more than \$100,000 for every day or part thereof upon which the offence occurs or continues.

Offence

2. The council of the Corporation may pass by-laws prohibiting persons from causing or permitting refuse or debris to be placed, deposited or blown on to private property or property of the municipality or of a local board without authority from the owner or occupant of the property.

By-laws
respecting
debris

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *City of Toronto Act, 1988*.

Bill Pr16

An Act respecting the City of Toronto

Mr. Kanter

1st Reading December 8th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

SECTION 1. The proposed section would clarify and expand the powers and duties of the committees which administer the Corporation's pension plans for employees and former employees who are not members of Ontario Municipal Employees Retirement System.

SECTION 2. The proposed section would enable the Corporation to permit employees or former employees in receipt of payments under the Corporation's disability plan to accrue service credits for pension purposes for the whole or any part of the period during which such payments were received notwithstanding the termination of that person's employment with the Corporation.

SECTION 3. The proposed section authorizes the Corporation to submit one or more questions to a vote under section 26 of the *Liquor Licence Act* in either or both of the defined areas. The defined areas cover those parts of the former City of West Toronto now lying in wards 3 and 1 respectively.

Bill Pr16

1987

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“Benefit Fund Committee” means The Benefit Fund Committee which administers the Toronto Fire Department Superannuation and Benefit Fund;

“Pension Committee” means The Toronto Civic Employees’ Pension Committee which administers the Toronto Civic Employees’ Pension and Benefit Fund;

“Pension Fund” means the Toronto Civic Employees’ Pension and Benefit Fund;

“Superannuation Fund” means the Toronto Fire Department Superannuation and Benefit Fund.

(2) The council of the Corporation may pass by-laws to By-laws
respecting
pension plans
amend the Pension Fund or the Superannuation Fund to
provide,

- (a) that any question or matter considered by the Benefit Fund Committee in administering the Superannuation Fund or by the Pension Committee in administering the Pension Fund shall be determined by a majority of the members of the committee holding office at that time but the council may require that any question or matter involving the investment of money accumulated to the credit of the fund shall be determined by such greater proportion of votes as may be prescribed by the by-law;

- (b) that the Benefit Fund Committee or the Pension Committee may delegate to any person or body, subject to any restrictions which may be imposed by the committee, the power to invest all or any part of the money accumulated to the credit of the fund and not required for current expenditure and for paying out of the fund any fees payable to such person or body;
- (c) that all or any part of the money and investments accumulated to the credit of either the Pension Fund or the Superannuation Fund may be held in the name of the fund or may be held for the account of the fund by another person or body designated for that purpose by the committee administering the fund;
- (d) that the Benefit Fund Committee may pay out of the Superannuation Fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements;
- (e) that the Pension Committee may pay out of the fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements.

Deeming
provision

(3) Any by-law passed under this section shall be deemed not to adversely affect the pensions, other benefits and privileges of members of any plan administered by the Benefit Fund Committee or the Pension Committee.

Notice
requirements
1987, c. 35

(4) Notwithstanding subsection (3), section 27 of the *Pension Benefits Act*, 1987 applies to any amendment to a plan administered by the Benefit Fund Committee or the Pension Committee that would result in a reduction of pension benefits accruing subsequent to the effective date of the amendment or that would otherwise adversely affect the rights or obligations of a member or former member or any other person entitled to payment from the plan or fund.

Accrual of
credits by
disabled
employees or
former
employees

2. The council of the Corporation may pass by-laws, upon such terms and conditions as may be prescribed, to permit a person who receives or who, on or before the day this section comes into force, received payments under a disability plan of the Corporation to accrue service credits under a pension plan

of the Corporation for the whole or any part of the period during which the payments are or were received notwithstanding that the employment of the person with the Corporation has or was terminated for the whole or any part of the period.

3. Notwithstanding any other Act, the council may submit one or more questions under section 26 of the *Liquor Licence Act* in either or both of the areas described in the Schedule and the provisions of that Act apply in respect to any question or questions submitted under this section.

Submission
of questions
R.S.O. 1980,
c. 244

4.—(1) This Act, except subsection 1 (4), comes into force on the day it receives Royal Assent.

Commence-
ment

(2) Subsection 1 (4) comes into force on the day that section 27 of the *Pension Benefits Act, 1987* comes into force.

Idem
1987, c. 35

5. The short title of this Act is the *City of Toronto Act, 1987*.

Short title

SCHEDULE

AREA 1

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of that portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, lying within Ward 3 of the said City of Toronto, the boundaries of the said land being described as follows:

COMMENCING at a point in the limit between Township lots 37 and 38 in Concession 3 from the Bay in the original Township of York where it is intersected by the westerly limit of the right-of-way lands of the Brampton Subdivision of the Canadian National Railways, the said point being the intersection of a north limit of the City of Toronto with the limit between wards 1 and 3;

THENCE easterly along the said limit between Township lots 37 and 38 to the original westerly limit of Keele Street;

THENCE southerly along the said original westerly limit of Keele Street 30.58 metres, more or less, to the northerly limit of Silverthorne's Lane as it existed in March, 1889;

THENCE easterly along the said northerly limit of Silverthorne's Lane to an angle therein;

THENCE north 16° west 9.14 metres;

THENCE easterly continuing along the northerly limit of the said Silverthorne's Lane and the easterly production thereof to the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the said westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the southerly limit of the right-of-way lands of the Ontario and Quebec Division of the Canadian Pacific Railway;

THENCE westerly along the said southerly limit of the right-of-way lands of the Ontario and Quebec Division of the Canadian Pacific Railway to the aforesaid westerly limit of the right-of-way lands of the Brampton Subdivision of the Canadian National Railways, being the aforesaid limit between wards 1 and 3;

THENCE northerly along the last mentioned limit to the point of commencement.

AREA 2

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of that portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, lying within Ward 1 of the said City of Toronto, the boundaries of the said land being described as follows:

COMMENCING at a point in the limit between Township lots 37 and 38 in Concession 3 from the Bay in the original Township of York where it is intersected by the westerly limit of the right-of-way lands of the Brampton Subdivision of the Canadian National Railways, the said point being the intersection of a north limit of the City of Toronto with the limit between wards 1 and 3;

THENCE southerly along the said westerly limit of the right-of-way lands of the Brampton Subdivision of the Canadian National Railways, being the said limit between wards 1 and 3 to the southerly limit of the right-of-way lands of the Ontario and Quebec Division of the Canadian Pacific Railway;

THENCE continuing southerly along the westerly limit of the lands of the Grand Trunk Railway to where the same is intersected by the easterly production of the southerly limit of Humberside Avenue;

THENCE westerly along the said easterly production to and along the said southerly limit of Humberside Avenue to the limit between Township lots 34 and 35 in Concession 2 from the Bay in the original Township of York;

THENCE southerly along the said limit between Township lots 34 and 35 to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to where the same is intersected by the northerly production of the westerly limit of High Park as it existed in December, 1890;

THENCE southerly along the said northerly production of the westerly limit of High Park to the original southerly limit of Bloor Street West;

THENCE westerly along the said original southerly limit of Bloor Street West to the existing westerly limit of that portion of the City of Toronto lying between Bloor Street West and Annette Street, as defined in *The City of Toronto Act, 1941*;

THENCE northerly along the said existing westerly limit of the City of Toronto to its intersection with the westerly production of the northerly limit of Annette Street;

THENCE easterly along the said westerly production to and along the said northerly limit of Annette Street to the westerly limit of Elizabeth Street, now Runnymede Road;

THENCE northerly along the said westerly limit of Elizabeth Street, being along a westerly limit of the former City of West Toronto to the northerly limit of the City of Toronto;

THENCE in easterly and northerly directions, being along northerly and westerly limits of the said City of Toronto to the limit between Township lots 36 and 37 in the said Concession 3 from the Bay;

THENCE easterly along the said limit between Township lots 36 and 37, being along a northerly limit of the City of Toronto and its easterly production to the westerly limit of Albany Road, now Maybank Avenue;

THENCE northerly along the said westerly limit of Albany Road to the aforesaid limit between Township lots 37 and 38 in Concession 3 from the Bay;

THENCE easterly along the last mentioned limit to the point of commencement.

Bill Pr16

An Act respecting the City of Toronto

Mr. Kanter

1st Reading December 8th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTES

SECTION 1. The proposed section would clarify and expand the powers and duties of the committees which administer the Corporation's pension plans for employees and former employees who are not members of Ontario Municipal Employees Retirement System.

SECTION 2. The proposed section would enable the Corporation to permit employees or former employees in receipt of payments under the Corporation's disability plan to accrue service credits for pension purposes for the whole or any part of the period during which such payments were received notwithstanding the termination of that person's employment with the Corporation.

SECTION 3. The proposed section authorizes the Corporation to submit one or more questions to a vote under section 26 of the *Liquor Licence Act* in any or all of the defined areas. The defined areas in the Schedule compose the former City of West Toronto.

Bill Pr16

1987

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“Benefit Fund Committee” means The Benefit Fund Committee which administers the Toronto Fire Department Superannuation and Benefit Fund;

“Pension Committee” means The Toronto Civic Employees’ Pension Committee which administers the Toronto Civic Employees’ Pension and Benefit Fund;

“Pension Fund” means the Toronto Civic Employees’ Pension and Benefit Fund;

“Superannuation Fund” means the Toronto Fire Department Superannuation and Benefit Fund.

(2) The council of the Corporation may pass by-laws to amend the Pension Fund or the Superannuation Fund to provide,

By-laws
respecting
pension plans

- (a) that any question or matter considered by the Benefit Fund Committee in administering the Superannuation Fund or by the Pension Committee in administering the Pension Fund shall be determined by a majority of the members of the committee holding office at that time but the council may require that any question or matter involving the investment of money accumulated to the credit of the fund shall be determined by such greater proportion of votes as may be prescribed by the by-law;

- (b) that the Benefit Fund Committee or the Pension Committee may delegate to any person or body, subject to any restrictions which may be imposed by the committee, the power to invest all or any part of the money accumulated to the credit of the fund and not required for current expenditure and for paying out of the fund any fees payable to such person or body;
- (c) that all or any part of the money and investments accumulated to the credit of either the Pension Fund or the Superannuation Fund may be held in the name of the fund or may be held for the account of the fund by another person or body designated for that purpose by the committee administering the fund;
- (d) that the Benefit Fund Committee may pay out of the Superannuation Fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements;
- (e) that the Pension Committee may pay out of the fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements.

Deeming
provision

(3) Any by-law passed under this section shall be deemed not to adversely affect the pensions, other benefits and privileges of members of any plan administered by the Benefit Fund Committee or the Pension Committee.

Notice
requirements
1987, c. 35

(4) Notwithstanding subsection (3), section 27 of the *Pension Benefits Act, 1987* applies to any amendment to a plan administered by the Benefit Fund Committee or the Pension Committee that would result in a reduction of pension benefits accruing subsequent to the effective date of the amendment or that would otherwise adversely affect the rights or obligations of a member or former member or any other person entitled to payment from the plan or fund.

Accrual of
credits by
disabled
employees or
former
employees

2. The council of the Corporation may pass by-laws, upon such terms and conditions as may be prescribed, to permit a person who receives or who, on or before the day this section comes into force, received payments under a disability plan of the Corporation to accrue service credits under a pension plan

of the Corporation for the whole or any part of the period during which the payments are or were received notwithstanding that the employment of the person with the Corporation has or was terminated for the whole or any part of the period.

3. Notwithstanding any other Act, the council may submit one or more questions under section 26 of the *Liquor Licence Act* in any or all of the areas described in the Schedule and the provisions of that Act apply in respect to any question or questions submitted under this section.

Submission
of questions
R.S.O. 1980,
c. 244

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. The short title of this Act is the *City of Toronto Act*, 1988.

Short title

SCHEDULE

AREA 1

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the City of Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to the centre line of Keele Street;

THENCE southerly along the centre line of Keele Street to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to where the same is intersected by the northerly production of the westerly limit of High Park as it existed in December, 1890;

THENCE southerly along the said northerly production of the westerly limit of High Park to the original southerly limit of Bloor Street West;

THENCE westerly along the said original southerly limit of Bloor Street West to the existing westerly limit of that portion of the City of Toronto lying between Bloor Street West and Annette Street, as defined in *The City of Toronto Act, 1941*;

THENCE northerly along the said existing westerly limit of the City of Toronto to its intersection with the westerly production of the northerly limit of Annette Street;

THENCE easterly along the said westerly production to and along the said northerly limit of Annette Street to the westerly limit of Elizabeth Street, now Runnymede Road;

THENCE northerly along the said westerly limit of Runnymede Road, formerly Elizabeth Street, being along the westerly limit of the former City of West Toronto to the point of commencement.

AREA 2

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the centre line of Keele Street and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to its intersection with the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the southerly limit of the Canadian Pacific Railway;

THENCE westerly along the southerly limit of the Canadian Pacific Railway to the westerly limit of the lands of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Grand Trunk Railway to where the same is intersected by the easterly production of the southerly limit of Humberside Avenue;

THENCE westerly along the said easterly production to and along the said southerly limit of Humberside Avenue to the limit between Township lots 34 and 35 in Concession 2 From the Bay in the original Township of York;

THENCE southerly along the said limit between Township lots 34 and 35 to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to the centre line of Keele Street;

THENCE northerly along the centre line of Keele Street to the point of commencement.

AREA 3

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the former City of West Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE in general northerly and easterly directions, being along westerly and northerly limits of the said former City of West Toronto to the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the said westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the centre line of the said Canadian Pacific Railway;

THENCE westerly along the said centre line of the Canadian Pacific Railway to the point of commencement. 

Bill Pr16

*(Chapter Pr32
Statutes of Ontario, 1988)*

An Act respecting the City of Toronto

Mr. Kanter

<i>1st Reading</i>	December 8th, 1987
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr16

1987

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“Benefit Fund Committee” means The Benefit Fund Committee which administers the Toronto Fire Department Superannuation and Benefit Fund;

“Pension Committee” means The Toronto Civic Employees’ Pension Committee which administers the Toronto Civic Employees’ Pension and Benefit Fund;

“Pension Fund” means the Toronto Civic Employees’ Pension and Benefit Fund;

“Superannuation Fund” means the Toronto Fire Department Superannuation and Benefit Fund.

(2) The council of the Corporation may pass by-laws to By-laws
respecting
pension plans
amend the Pension Fund or the Superannuation Fund to
provide,

- (a) that any question or matter considered by the Benefit Fund Committee in administering the Superannuation Fund or by the Pension Committee in administering the Pension Fund shall be determined by a majority of the members of the committee holding office at that time but the council may require that any question or matter involving the investment of money accumulated to the credit of the fund shall be determined by such greater proportion of votes as may be prescribed by the by-law;

- (b) that the Benefit Fund Committee or the Pension Committee may delegate to any person or body, subject to any restrictions which may be imposed by the committee, the power to invest all or any part of the money accumulated to the credit of the fund and not required for current expenditure and for paying out of the fund any fees payable to such person or body;
- (c) that all or any part of the money and investments accumulated to the credit of either the Pension Fund or the Superannuation Fund may be held in the name of the fund or may be held for the account of the fund by another person or body designated for that purpose by the committee administering the fund;
- (d) that the Benefit Fund Committee may pay out of the Superannuation Fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements;
- (e) that the Pension Committee may pay out of the fund any expenses incurred by the committee in providing for the custody and safekeeping of securities, certificates or other investments belonging to the fund or in obtaining investment performance measurements.

Deeming
provision

(3) Any by-law passed under this section shall be deemed not to adversely affect the pensions, other benefits and privileges of members of any plan administered by the Benefit Fund Committee or the Pension Committee.

Notice
requirements
1987, c. 35

(4) Notwithstanding subsection (3), section 27 of the *Pension Benefits Act*, 1987 applies to any amendment to a plan administered by the Benefit Fund Committee or the Pension Committee that would result in a reduction of pension benefits accruing subsequent to the effective date of the amendment or that would otherwise adversely affect the rights or obligations of a member or former member or any other person entitled to payment from the plan or fund.

Accrual of
credits by
disabled
employees or
former
employees

2. The council of the Corporation may pass by-laws, upon such terms and conditions as may be prescribed, to permit a person who receives or who, on or before the day this section comes into force, received payments under a disability plan of the Corporation to accrue service credits under a pension plan

of the Corporation for the whole or any part of the period during which the payments are or were received notwithstanding that the employment of the person with the Corporation has or was terminated for the whole or any part of the period.

3. Notwithstanding any other Act, the council may submit one or more questions under section 26 of the *Liquor Licence Act* in any or all of the areas described in the Schedule and the provisions of that Act apply in respect to any question or questions submitted under this section.

Submission
of questions
R.S.O. 1980,
c. 244

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. The short title of this Act is the *City of Toronto Act*, 1988.

Short title

SCHEDULE

AREA 1

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the City of Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to the centre line of Keele Street;

THENCE southerly along the centre line of Keele Street to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to where the same is intersected by the northerly production of the westerly limit of High Park as it existed in December, 1890;

THENCE southerly along the said northerly production of the westerly limit of High Park to the original southerly limit of Bloor Street West;

THENCE westerly along the said original southerly limit of Bloor Street West to the existing westerly limit of that portion of the City of Toronto lying between Bloor Street West and Annette Street, as defined in *The City of Toronto Act, 1941*;

THENCE northerly along the said existing westerly limit of the City of Toronto to its intersection with the westerly production of the northerly limit of Annette Street;

THENCE easterly along the said westerly production to and along the said northerly limit of Annette Street to the westerly limit of Elizabeth Street, now Runnymede Road;

THENCE northerly along the said westerly limit of Runnymede Road, formerly Elizabeth Street, being along the westerly limit of the former City of West Toronto to the point of commencement.

AREA 2

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the centre line of Keele Street and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE easterly along the centre line of the Canadian Pacific Railway to its intersection with the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the southerly limit of the Canadian Pacific Railway;

THENCE westerly along the southerly limit of the Canadian Pacific Railway to the westerly limit of the lands of the Grand Trunk Railway;

THENCE southerly along the westerly limit of the lands of the Grand Trunk Railway to where the same is intersected by the easterly production of the southerly limit of Humberside Avenue;

THENCE westerly along the said easterly production to and along the said southerly limit of Humberside Avenue to the limit between Township lots 34 and 35 in Concession 2 From the Bay in the original Township of York;

THENCE southerly along the said limit between Township lots 34 and 35 to the original northerly limit of Bloor Street, now Bloor Street West;

THENCE westerly along the said original northerly limit of Bloor Street West to the centre line of Keele Street;

THENCE northerly along the centre line of Keele Street to the point of commencement.

AREA 3

In the City of Toronto, in The Municipality of Metropolitan Toronto and Province of Ontario, being composed of a portion of the former City of West Toronto, annexed to the City of Toronto by *The City of Toronto Act, 1909*, the boundaries of the said portion being described as follows:

COMMENCING at the intersection of the westerly City Limit of the former City of West Toronto and the centre line of the Canadian Pacific Railway lying north of Dundas Street West;

THENCE in general northerly and easterly directions, being along westerly and northerly limits of the said former City of West Toronto to the westerly limit of the lands of the Northern Division of the Grand Trunk Railway;

THENCE southerly along the said westerly limit of the lands of the Northern Division of the Grand Trunk Railway to the centre line of the said Canadian Pacific Railway;

THENCE westerly along the said centre line of the Canadian Pacific Railway to the point of commencement.

Bill Pr17

An Act respecting the City of Toronto

Mr. Kanter

1st Reading June 7th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The Bill would permit the council to require the filing of information respecting the identity, use and quantity of designated hazardous substances in the workplace. A Right-to-Know Arbitration Tribunal would be set up to determine a claim by an employer that the information should be kept confidential. The Bill also provides for the disclosure of information, as filed, on any designated hazardous substance in the workplace which is not found to be confidential.

Bill Pr17**1988****An Act respecting the City of Toronto**

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board of Health” means the Board of Health for the City of Toronto Health Unit;

“confidentiality claim” means a claim submitted by an employer to the Right-to-Know Arbitration Tribunal for confidentiality in respect of the identity of a designated hazardous substance in the workplace;

“confidentiality registration number” means a number issued by the Right-to-Know Arbitration Tribunal to identify the designated hazardous substance in respect of which a confidentiality claim is approved;

“defined business activity” means a business activity which falls within one of the classes of business activities defined by a by-law passed by the council of the Corporation under section 2;

“designated hazardous substance” means a substance designated by a by-law passed by the council of the Corporation under section 2 as being hazardous to the health or safety of a person who may be exposed thereto and includes a substance so designated which is an ingredient or component of a product, material or thing not designated a hazardous substance by the by-law;

“employer” means a person who employs one or more workers or contracts for the services of one or more workers and

includes a contractor or subcontractor who performs work for or supplies services to a person but does not include a person who employs a domestic worker or a casual labourer at the place of residence of the person;

“Fire Chief” means the person appointed Fire Chief by the council of the Corporation;

“hazardous consumer goods” means goods which are designated hazardous substances sold to a person in packaging or containers for use for personal, family or household purposes and not for resale;

“inspector” means a public health inspector of the Board of Health for the City of Toronto Health Unit;

“Medical Officer of Health” means the Medical Officer of Health of the Board of Health for the City of Toronto Health Unit;

“tribunal” means the Right-to-Know Arbitration Tribunal established by council under section 3;

“use”, in relation to a designated hazardous substance, means the manufacture, storage or disposal of the substance or the treating, processing or handling of the substance in the workplace, whether as an intermediate or final product of a process;

“workplace” means any land, building or structure at, upon, in or near which a worker works.

By-laws
respecting
disclosure of
hazardous
substances in
the
workplace

2. The council may pass by-laws,

- (a) for defining the class or classes of business activities in the City of Toronto to which by-laws passed under this Act shall apply;
- (b) for prescribing the designated hazardous substances to which by-laws passed under this Act shall apply;
- (c) for requiring every employer who carries on a defined business activity to disclose annually to the Medical Officer of Health, within the time specified in the by-law, information respecting the identity, use and quantity of,
 - (i) each designated hazardous substance present in the workplace on the date and during the period specified in the by-law, and

- (ii) each additional designated hazardous substance brought to the workplace;
- (d) for prescribing the information to be disclosed by an employer who carries on a defined business activity respecting the identity, use and quantity of each designated hazardous substance present in or brought to the workplace;
- (e) for prescribing the information to be disclosed by an employer who carries on a defined business activity and who has submitted a confidentiality claim to or has been issued a confidentiality registration number by the tribunal;
- (f) for prescribing exemptions from by-laws passed under this section for small quantities of designated hazardous substances and hazardous consumer goods in the workplace;
- (g) for requiring every employer of a defined business activity to file with the Medical Officer of Health, within the time specified in the by-law, notice of,
 - (i) any change of location of the business activity, giving the new address including the street and number,
 - (ii) any change which substantially alters the nature of the business activity, or
 - (iii) the ceasing of the business activity;
- (h) for requiring every employer who carries on a defined business activity to advise the Medical Officer of Health, within the time specified in the by-law, of,
 - (i) failure to receive notice from the Medical Officer of Health requesting information respecting designated hazardous substances in the workplace, and
 - (ii) the absence of any designated hazardous substances in the workplace;
- (i) for appointing inspectors; and
- (j) providing that an employer found guilty of the offence of failing to disclose information specified in

a by-law passed under this section is liable to a fine of not more than \$100 per day for every day upon which the offence continued after the expiry of the time prescribed for disclosing such information.

Right-to-
Know
Arbitration
Tribunal

3.—(1) The council may by by-law establish a tribunal to be known as the “Right-to-Know Arbitration Tribunal”.

Composition
of tribunal

(2) The tribunal shall be composed of the Medical Officer of Health who shall act as chairperson, and so many members, equal in number, as the council may determine, representative of and nominated by,

- (a) the Board of Health;
- (b) employers in the City of Toronto;
- (c) employees resident in the City of Toronto; and
- (d) members of the general public resident in the City of Toronto.

Appointments

(3) The members of the tribunal shall be appointed by the council and shall be appointed for a term expiring with the life of the council that appointed them and until their successors are appointed, and any such member is eligible for reappointment as the council may determine.

Alternate
chairperson

(4) The Medical Officer of Health may designate a person to act as alternate chairperson in the case of his or her absence or inability to act at a meeting of the tribunal.

Remuner-
ation

(5) The members of the tribunal shall be paid such remuneration as the council may determine.

Vacancies

(6) Where a person ceases to be a member of the tribunal before the expiration of his or her term, the council may appoint another person for the unexpired portion of the term.

Secretary

(7) There shall be a secretary of the tribunal who shall be appointed by the council.

Acting
secretary

(8) Where the office of the secretary is vacant or where the secretary is absent or unable to act, the council may appoint an acting secretary who shall act in the place of the secretary.

Duties of
secretary

(9) It is the duty of the secretary,

- (a) to keep a record and preserve secrecy in respect of all confidentiality claims submitted to the tribunal;

- (b) to have the custody and care of all records and documents pertaining to the business or proceedings before the tribunal;
- (c) to keep proper books of record in which the secretary shall cause to be entered every decision made and every confidentiality registration number issued by the tribunal and the entry constitutes the original record of every decision made and every confidentiality registration number issued; and
- (d) to carry out such other functions and duties as may be prescribed by this Act or assigned by the council.

(10) The chairperson or alternate chairperson, each member of the tribunal, the secretary or acting secretary and each person assisting the secretary in the administration of the tribunal shall, before entering upon his or her duties, take and subscribe before the clerk of the municipality and file in the clerk's office a secrecy affirmation or oath in the following form:

Oath of
secrecy

I do swear (or solemnly affirm) that I will faithfully, truly and impartially, to the best of my judgment, skill and ability, execute and perform the office of chairperson (or other position as may be appropriate) of the Right-to-Know Arbitration Tribunal and I will not, except in the discharge of my duties, disclose to any person any of the evidence or proceedings or any other matter brought before the tribunal. So help me God. (Omit this phrase in an affirmation).

4.—(1) The chairperson or alternate chairperson, one member representative of the Board of Health, one member representative of employers, one member representative of employees and one member representative of the general public constitute a quorum.

Quorum

(2) The decision of the majority of the members of the tribunal present and constituting a quorum is the decision of the tribunal, but the chairperson or alternate chairperson may vote only in the event of a tie.

Decisions of
tribunal

5. The tribunal shall determine its own practice and procedure but shall give full opportunity to an employer who submits a confidentiality claim to the tribunal to present evidence and to make submissions.

Practice and
procedure

Hearings to
be private

6. The hearings of the tribunal shall be held in private.

Confidentiality
claim by
employer

7.—(1) An employer may, within fifteen working days of receiving a request from the Medical Officer of Health for information respecting designated hazardous substances in the workplace, submit a confidentiality claim to the tribunal in respect of the identity of a designated hazardous substance, based on economic hardship to the employer resulting from disclosure thereof to the public.

Disclosure by
employer

(2) An employer who makes a confidentiality claim under subsection (1) shall not refuse to disclose information to the Medical Officer of Health within the time and in the manner specified in a by-law passed by the council under section 2, other than the identity of the designated hazardous substance to which the confidentiality claim relates.

Contents of
confidentiality
claim

(3) A confidentiality claim shall,

- (a) disclose the identity of the designated hazardous substance in respect of which the claim is made;
- (b) set out the grounds relied on by the employer in support of the claim; and
- (c) include any document or information relevant to the determination of the claim by the tribunal.

Service

(4) An employer making a confidentiality claim shall,

- (a) ensure that the claim is clearly marked confidential and addressed to the secretary of the tribunal; and
- (b) serve the claim on the secretary of the tribunal personally or by registered mail.

Time for
hearing

8. The secretary of the tribunal, upon receipt of a confidentiality claim, shall set a date and time for a hearing by the tribunal and shall notify the employer thereof no less than fifteen days prior to the date set for the hearing.

Duties of
tribunal

9.—(1) The tribunal shall review and determine all confidentiality claims submitted to it under this Act and in making its decision shall consider,

- (a) the extent to which the public and workers employed by the employer are aware of the identity of the designated hazardous substance in respect of which the claim is made;

- (b) the extent to which such designated hazardous substance is used by other employers;
- (c) whether the employer making the claim will suffer economic hardship as a result of disclosure to the public of the identity of the designated hazardous substance; and
- (d) the measures taken by the employer prior to making the confidentiality claim to preserve secrecy in respect of the identity of such designated hazardous substance.

(2) Subject to sections 15 and 16, where the tribunal approves a confidentiality claim in respect of a designated hazardous substance, it shall issue to the employer making the claim a confidentiality registration number by which the identity of the designated hazardous substance shall be disclosed under this Act or under a by-law passed under this Act.

Confidentiality
registration
number

(3) Where, upon dismissing a confidentiality claim, the tribunal finds that the claim was trivial, frivolous or made in bad faith, the tribunal may order the employer who made the claim to pay the costs of the proceedings before the tribunal.

Frivolous
claim

10.—(1) The tribunal shall review each confidentiality claim approved by it three years following the date of its decision or so soon thereafter as is practicable.

Review

(2) The secretary of the tribunal shall notify the employer who submitted a confidentiality claim approved by the tribunal of the date and time set by the tribunal for review of the confidentiality claim no less than fifteen days prior to the date set for the review.

Notice of
review

(3) Subsections 7 (1), 7 (3), 7 (4), 9 (1) and 9 (2) apply with necessary modifications to the proceedings before the tribunal on a review under subsection (1).

Procedure on
review

(4) Documents and things put in evidence by an employer at a hearing before the tribunal shall, upon the request of the employer, be released to the employer by the tribunal within a reasonable time after the confidentiality claim made by the employer has been determined.

Release of
documents

11.—(1) Within fifteen days of receiving notice of the tribunal's dismissal of a confidentiality claim under subsection 9 (1) or 10 (1), the employer who made the confidentiality claim may apply to the District Court for a determination as to whether the confidentiality claim ought to be approved.

Hearings by
court

Powers of
judge

(2) Upon receiving an application for a determination under subsection (1), the judge shall appoint a time for and hold a hearing and may rescind or affirm the decision of the tribunal.

Extension of
time

(3) A judge may extend the time for making an application for a determination under subsection (1) either before or after the expiration of the fifteen day period mentioned therein if the judge is satisfied that there are *prima facie* grounds for relief and that there are reasonable grounds for the extension.

Tribunal
entitled to be
heard

(4) On a hearing of an application for a determination by a judge, the tribunal may be represented.

Hearings in
private

(5) The hearing of an application for a determination by a judge shall be held in private.

Tribunal to
issue

(6) Where a confidentiality claim is approved by a judge under subsection (2), the tribunal shall issue a confidentiality registration number to the employer to identify the designated hazardous substance in respect of which the confidentiality claim is approved.

Right of
access

12. Every person has a right of access to information respecting designated hazardous substances in the workplace disclosed to the Medical Officer of Health by an employer of a defined business activity or otherwise available to or in the possession of the Medical Officer of Health unless the information is exempted under section 14.

Access
procedure

13.—(1) A person seeking information under section 12 shall make a request therefor to the Medical Officer of Health during regular working hours.

Identity
confidential

(2) The Medical Officer of Health shall not publish, disclose or communicate to any person the identity of a person seeking information under section 12.

Disclosure of
information

(3) The Medical Officer of Health shall,

- (a) disclose to a person seeking information under section 12 the information available to or in the possession of the Medical Officer of Health; and
- (b) make all necessary inquiries and forward to the organization which the Medical Officer of Health determines is appropriate, a request for information by a person under section 12 not available to or in the possession of the Medical Officer of Health but available to or in the possession of the organization,

unless the information is exempted under section 14.

(4) The Medical Officer of Health may require the person seeking information under section 12 to pay the costs of copying the information. Costs of information

14. The Medical Officer of Health shall not disclose to a person seeking information under section 12, Exemptions

- (a) the identity of a designated hazardous substance for which a confidentiality claim has been filed by an employer or approved by the tribunal;
- (b) any record of the proceedings before the tribunal or other documents or evidence pertaining to or filed in a confidentiality claim; or
- (c) any report or the results of any examination, test or inquiry made by an inspector for the purpose of enforcing a by-law passed by the council under section 2.

15. The Fire Chief has a right of access to information respecting the identity of a designated hazardous substance in respect of which a confidentiality registration number has been issued but shall not publish, disclose or communicate such information to any person except as may be necessary to protect life or property endangered by a fire. Right of Fire Chief

16.—(1) A physician licensed to practice medicine in Ontario has a right of access to the identity of a designated hazardous substance in respect of which a confidentiality registration number has been issued provided the physician delivers to the secretary of the tribunal a statement signed by him or her in the following form: Right of physician

In my opinion the patient (giving the name of the patient) under my care suffers from health problems (specifying the nature thereof) which may be related to his or her exposure to the unidentified designated hazardous substance in the workplace of the employer (giving the name of the employer and the location of the workplace) to whom a confidentiality registration number (specifying such number) has been issued by the Right-to-Know Arbitration Tribunal.

(2) Upon receiving a statement signed by a physician under subsection (1), the secretary of the tribunal shall disclose to Release of confidential information to physician

the physician the identity of the designated hazardous substance described in the statement.

Duty of
physician

(3) A physician who receives information from the secretary of the tribunal under subsection (2) shall not publish, disclose or communicate the information to any person except as may be necessary in the treatment of the patient under his or her care named in a statement signed by the physician under subsection (1).

Disclosure by
Medical
Officer of
Health

(4) Despite subsection (1), in a case of medical emergency, the Medical Officer of Health may disclose to a physician treating the person, at the request of the physician, information respecting the identity of a designated hazardous substance in respect of which a confidentiality registration number has been issued.

Idem

(5) Subsection (3) applies with necessary modifications to a physician who receives information from the Medical Officer of Health under subsection (4).

Inspection of
workplace

17.—(1) For the enforcement of any by-law passed by the council under this Act and for the purpose of investigating a complaint that a health hazard exists related to the presence of a hazardous substance in a workplace, an inspector may,

- (a) at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate;
- (b) make examinations, investigations and inquiries; and
- (c) make, take and remove or require the making, taking and removal of copies, samples or extracts related to an examination, investigation, test or inquiry.

Dwellings

(2) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant.

Obstruction
prohibited

(3) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed by the council under section 2.

Application
for warrant

(4) If any person,

- (a) denies entry or access to an inspector, through or over a workplace;

- (b) instructs or directs an inspector to leave a workplace;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed by the council under section 2;
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

(5) If a justice of the peace is satisfied on evidence under oath, Issue of
warrant

- (a) that there is reasonable and probable ground for believing that it is necessary,
 - (i) to enter and have access to any workplace,
 - (ii) to make examinations, investigations and inquiries for the purpose of the enforcement of any by-law passed by the council under section 2,
 - (iii) to make, take and remove samples, copies or extracts related to an examination, investigation, test or inquiry; and
- (b) that an inspector,
 - (i) has been denied entry to the workplace,
 - (ii) has been instructed or directed to leave the workplace,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(6) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(7) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(8) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the owner or occupier of the workplace.

No action

18. No action or other proceeding for damages, prohibition or mandamus lies or shall be instituted against the Medical Officer of Health, the tribunal or the members thereof, the secretary to the tribunal, the assistant to the secretary or an inspector for an act done in good faith in the execution or intended execution of his or her duty or power under this Act or for any alleged neglect or default in the execution in good faith of his or her duty or power under this Act.

Commence-
ment

19. This Act comes into force on the day it receives Royal Assent.

Short title

20. The short title of this Act is the *City of Toronto Act, 1988*.

Bill Pr18

An Act respecting the Sarnia Kiwanis Foundation Inc.

Mr. Brandt

1st Reading June 22nd, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr18

1988

**An Act respecting the
Sarnia Kiwanis Foundation Inc.**

Whereas the Sarnia Kiwanis Foundation Inc., herein called the Foundation, hereby represents that it was incorporated on the 25th day of January, 1985; that one of the objects of the Foundation is to operate a community centre commonly known as the Lochiel Kiwanis Centre; that the Foundation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made to authorize the council of The Corporation of the City of Sarnia to exempt the real property leased by the Foundation that is used to operate the Lochiel Kiwanis Centre from taxation for municipal and school purposes, other than local improvement rates; and whereas the Foundation hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Sarnia may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Foundation, being the lands and premises described in the Schedule, so long as the land is occupied and used solely for the purposes of the Foundation.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

(3) A by-law passed under subsection (1) may be retroactive to the 1st day of January, 1987.

By-law may
be retroactive

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sarnia Kiwanis Foundation Inc. Act, 1988*.

SCHEDULE

The land situate in the City of Sarnia, in the County of Lambton, more particularly described as follows:

Parts of lots 192, 193 and 217, and all of Lot 216 on the north side of Lochiel Street, part of lots 194, 195, 214 and 215 on the south side of Lochiel Street, and Part of Lot 218 on the west side of Forsythe Street, all according to Registered Plan Number 14 for the City of Sarnia, and that Part of Lochiel Street lying between the easterly limit of College Avenue and the westerly limit of Forsythe Street according to Registered Plan Number 14 for the City of Sarnia, now closed by By-law Number 872 of the City of Sarnia and registered as Instrument Number 30266 for the City of Sarnia, and now all designated as Part 1 on Plan 25R-4261 registered in the Land Registry Office for the County of Lambton.

Bill Pr18

*(Chapter Pr49
Statutes of Ontario, 1988)*

**An Act respecting the
Sarnia Kiwanis Foundation Inc.**

Mr. Brandt

<i>1st Reading</i>	June 22nd, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr18

1988

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Sarnia Kiwanis Foundation Inc.**

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Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Sarnia may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Foundation, being the lands and premises described in the Schedule, so long as the land is occupied and used solely for the purposes of the Foundation.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

(3) A by-law passed under subsection (1) may be retroactive to the 1st day of January, 1987.

By-law may
be retroactive

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sarnia Kiwanis Foundation Inc. Act, 1988*.

SCHEDULE

The land situate in the City of Sarnia, in the County of Lambton, more particularly described as follows:

Parts of lots 192, 193 and 217, and all of Lot 216 on the north side of Lochiel Street, part of lots 194, 195, 214 and 215 on the south side of Lochiel Street, and Part of Lot 218 on the west side of Forsythe Street, all according to Registered Plan Number 14 for the City of Sarnia, and that Part of Lochiel Street lying between the easterly limit of College Avenue and the westerly limit of Forsythe Street according to Registered Plan Number 14 for the City of Sarnia, now closed by By-law Number 872 of the City of Sarnia and registered as Instrument Number 30266 for the City of Sarnia, and now all designated as Part 1 on Plan 25R-4261 registered in the Land Registry Office for the County of Lambton.

Bill Pr19

An Act respecting the City of Sudbury

Mr. Campbell

1st Reading April 12th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr19

1988

An Act respecting the City of Sudbury

Whereas The Corporation of the City of Sudbury, herein called the Corporation, considers it expedient to establish a local board to manage and operate an annual winter festival known as the Sudbury Snowflake Festival or such other festival as may be authorized by by-law of the council; and whereas it is in the public interest to implement the objects of the local board; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means The Sudbury Snowflake Festival Board;

“council” means the council of the Corporation.

2.—(1) The council may by by-law establish a local board to be known as “The Sudbury Snowflake Festival Board”.

Local board established

(2) The objects of the board are to plan, promote, co-ordinate, administer and manage an annual winter festival held in the City of Sudbury known as the Sudbury Snowflake Festival, or such other festival authorized by by-law of council.

Objects of the board

3. The board may,

Powers

- (a) receive, manage and use donations by any person and grants made by the council to further its objects;
- (b) appoint such employees as it considers necessary, determine the term of their employment, fix their remuneration and prescribe their duties;
- (c) maintain its own bank account;

- (d) borrow money for the purpose of operating a festival or festivals;
- (e) acquire in its own name real or personal property; and
- (f) enter into agreements with the Corporation or any person.

Composition
of board

4.—(1) The board is a body corporate and shall consist of such number of members as council considers advisable, at least two of whom shall be members of council.

Term of
office

(2) The members of the board shall be appointed by by-law for a term up to three years but not exceeding the life of the council that appointed them and until their successors are appointed, and any member is eligible for reappointment.

Remuner-
ation

(3) The members of the board shall serve without remuneration.

Termination

(4) The council may at any time by by-law terminate the office of a member of the board.

Vacancies

(5) Where a person ceases to be a member of the board before the expiration of his or her term, the council may appoint another person for the unexpired portion of the term.

Officers

5. The board shall, in each year, elect a chairperson, vice-chairperson and secretary and such other officers as it considers necessary to conduct the business of the board during the year.

Meetings

6.—(1) The board shall meet at least four times in every calendar year.

Notice of
meeting

(2) Advance notice of every meeting shall be given to each member of the board in the time period specified by by-law of council.

Quorum

(3) A majority of the members of the board constitutes a quorum.

Minutes of
meeting

(4) The board shall keep proper minutes and records of every meeting of the board and shall forward true copies of the minutes and records to all members of the board and to the clerk of the Corporation as soon as possible after each meeting.

7.—(1) The board shall appoint a general manager who shall be the chief administrative officer of the board. General manager

(2) The board may delegate to the general manager the exercise of such power and authority as it may determine for the proper conduct of the business conducive to the objects of the board. Delegation

8. The board shall maintain, at its own expense, such policies of insurance in respect of the board as are required for its purposes. Insurance

9. The fiscal year of the board shall be the calendar year. Fiscal year

10. The treasurer of the Corporation shall be the treasurer of the board. Treasurer

11.—(1) The auditor of the Corporation shall audit the accounts and transactions of the board annually. Annual audit

(2) The board shall, as soon as possible after the 31st day of March in each year, submit to the council the audited financial statements. Financial statements to be submitted to council

12. The council may require the board to report to the council on any matter relating to the carrying out of the objects of the board. Reports to council

13.—(1) The annual budget or any part thereof of the board shall be subject to the approval of council and shall be submitted to council at the time and in the form prescribed by council by by-law, and council may approve or reject any part thereof and may designate the purposes for which grants made by the Corporation shall be expended. Budget to be approved by council

(2) The board may, within the limits of the budget approved by council, incur expenses and pay salaries, fees and any other sums of money required by the board for the carrying out of its objects. Sums may be expended within approved budget

14.—(1) The council may by by-law dissolve the board. Dissolution of board

(2) The property and the income, revenue and accretions of the board shall be applied solely to promote the objects of the board and, upon the dissolution of the board, any property or assets remaining after the payment of debts shall vest in the Corporation to form part of its general funds. Transfer of assets upon dissolution

Other name
or
designation

15. With the approval of the council, the board may identify itself to the public by a name or style other than that designated in subsection 2 (1).

Commence-
ment

16. This Act comes into force on the day it receives Royal Assent.

Short title

17. The short title of this Act is the *City of Sudbury Act, 1988*.

Bill Pr19

An Act respecting the City of Sudbury

Mr. Campbell

1st Reading April 12th, 1988
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr19

1988

An Act respecting the City of Sudbury

Whereas The Corporation of the City of Sudbury, herein called the Corporation, considers it expedient to establish a local board to manage and operate an annual winter festival known as the Sudbury Snowflake Festival or such other festival as may be authorized by by-law of the council; and whereas it is in the public interest to implement the objects of the local board; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means The Sudbury Snowflake Festival Board;

“council” means the council of the Corporation.

2.—(1) The council may by by-law establish a local board to be known as “The Sudbury Snowflake Festival Board”.

Local board established

(2) The objects of the board are to plan, promote, co-ordinate, administer and manage an annual winter festival held in the City of Sudbury known as the Sudbury Snowflake Festival, or such other festival authorized by by-law of council.


Objects of the board

3. The board may,

Powers

- (a) receive, manage and use donations by any person and grants made by the council to further its objects;
- (b) appoint such employees as it considers necessary, determine the term of their employment, fix their remuneration and prescribe their duties;
- (c) maintain its own bank account;



- (d) borrow money solely from the Corporation with the approval of council on such terms as to interest and repayment as may be determined by council; 
- (e) acquire in its own name real or personal property; and
- (f) enter into agreements with the Corporation or any person.

Composition
of board

4.—(1) The board is a body corporate and shall consist of such number of members as council considers advisable, at least two of whom shall be members of council.

Term of
office

(2) The members of the board shall be appointed by by-law for a term up to three years but not exceeding the life of the council that appointed them and until their successors are appointed, and any member is eligible for reappointment.

Remuner-
ation

(3) The members of the board shall serve without remuneration.

Termination

(4) The council may at any time by by-law terminate the office of a member of the board.

Vacancies

(5) Where a person ceases to be a member of the board before the expiration of his or her term, the council may appoint another person for the unexpired portion of the term.

Officers

5. The board shall, in each year, elect a chairperson, vice-chairperson and secretary and such other officers as it considers necessary to conduct the business of the board during the year.

Meetings

6.—(1) The board shall meet at least four times in every calendar year.

Notice of
meeting

(2) Advance notice of every meeting shall be given to each member of the board in the time period specified by by-law of council.

Quorum

(3) A majority of the members of the board constitutes a quorum.

Minutes of
meeting

(4) The board shall keep proper minutes and records of every meeting of the board and shall forward true copies of the minutes and records to all members of the board and to the clerk of the Corporation as soon as possible after each meeting.

7.—(1) The board shall appoint a general manager who shall be the chief administrative officer of the board. General manager

(2) The board may delegate to the general manager the exercise of such power and authority as it may determine for the proper conduct of the business conducive to the objects of the board. Delegation

8. The board shall maintain, at its own expense, such policies of insurance in respect of the board as are required for its purposes. Insurance

9. The fiscal year of the board shall be the calendar year. Fiscal year

10. The treasurer of the Corporation shall be the treasurer of the board. Treasurer

11.—(1) The auditor of the Corporation shall audit the accounts and transactions of the board annually. Annual audit

(2) The board shall, as soon as possible after the 31st day of March in each year, submit to the council the audited financial statements. Financial statements to be submitted to council

12. The council may require the board to report to the council on any matter relating to the carrying out of the objects of the board. Reports to council

13.—(1) The annual budget or any part thereof of the board shall be subject to the approval of council and shall be submitted to council at the time and in the form prescribed by council by by-law, and council may approve or reject any part thereof and may designate the purposes for which grants made by the Corporation shall be expended. Budget to be approved by council

(2) The board may, within the limits of the budget approved by council, incur expenses and pay salaries, fees and any other sums of money required by the board for the carrying out of its objects. Sums may be expended within approved budget

14.—(1) The council may by by-law dissolve the board. Dissolution of board

(2) The property and the income, revenue and accretions of the board shall be applied solely to promote the objects of the board and, upon the dissolution of the board, any property or assets remaining after the payment of debts shall vest in the Corporation to form part of its general funds. Transfer of assets upon dissolution

Other name
or
designation

15. With the approval of the council, the board may identify itself to the public by a name or style other than that designated in subsection 2 (1).

Commence-
ment

16. This Act comes into force on the day it receives Royal Assent.

Short title

17. The short title of this Act is the *City of Sudbury Act, 1988*.

Bill Pr19

*(Chapter Pr16
Statutes of Ontario, 1988)*

An Act respecting the City of Sudbury

Mr. Campbell

<i>1st Reading</i>	April 12th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr19**1988****An Act respecting the City of Sudbury**

Whereas The Corporation of the City of Sudbury, herein Preamble
 called the Corporation, considers it expedient to establish a
 local board to manage and operate an annual winter festival
 known as the Sudbury Snowflake Festival or such other festi-
 val as may be authorized by by-law of the council; and
 whereas it is in the public interest to implement the objects of
 the local board; and whereas the applicant hereby applies for
 special legislation for such purpose; and whereas it is expedi-
 ent to grant the application;

Therefore, Her Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario,
 enacts as follows:

1. In this Act,Definitions

“board” means The Sudbury Snowflake Festival Board;

“council” means the council of the Corporation.

2.—(1) The council may by by-law establish a local board Local board
established
 to be known as “The Sudbury Snowflake Festival Board”.

(2) The objects of the board are to plan, promote, co-ordi- Objects of
the board
 nate, administer and manage an annual winter festival held in
 the City of Sudbury known as the Sudbury Snowflake Festi-
 val, or such other festival authorized by by-law of council.

3. The board may,Powers

- (a) receive, manage and use donations by any person
and grants made by the council to further its
objects;
- (b) appoint such employees as it considers necessary,
determine the term of their employment, fix their
remuneration and prescribe their duties;
- (c) maintain its own bank account;

- (d) borrow money solely from the Corporation with the approval of council on such terms as to interest and repayment as may be determined by council;
- (e) acquire in its own name real or personal property; and
- (f) enter into agreements with the Corporation or any person.

Composition
of board

4.—(1) The board is a body corporate and shall consist of such number of members as council considers advisable, at least two of whom shall be members of council.

Term of
office

(2) The members of the board shall be appointed by by-law for a term up to three years but not exceeding the life of the council that appointed them and until their successors are appointed, and any member is eligible for reappointment.

Remuner-
ation

(3) The members of the board shall serve without remuneration.

Termination

(4) The council may at any time by by-law terminate the office of a member of the board.

Vacancies

(5) Where a person ceases to be a member of the board before the expiration of his or her term, the council may appoint another person for the unexpired portion of the term.

Officers

5. The board shall, in each year, elect a chairperson, vice-chairperson and secretary and such other officers as it considers necessary to conduct the business of the board during the year.

Meetings

6.—(1) The board shall meet at least four times in every calendar year.

Notice of
meeting

(2) Advance notice of every meeting shall be given to each member of the board in the time period specified by by-law of council.

Quorum

(3) A majority of the members of the board constitutes a quorum.

Minutes of
meeting

(4) The board shall keep proper minutes and records of every meeting of the board and shall forward true copies of the minutes and records to all members of the board and to the clerk of the Corporation as soon as possible after each meeting.

7.—(1) The board shall appoint a general manager who shall be the chief administrative officer of the board. General manager

(2) The board may delegate to the general manager the exercise of such power and authority as it may determine for the proper conduct of the business conducive to the objects of the board. Delegation

8. The board shall maintain, at its own expense, such policies of insurance in respect of the board as are required for its purposes. Insurance

9. The fiscal year of the board shall be the calendar year. Fiscal year

10. The treasurer of the Corporation shall be the treasurer of the board. Treasurer

11.—(1) The auditor of the Corporation shall audit the accounts and transactions of the board annually. Annual audit

(2) The board shall, as soon as possible after the 31st day of March in each year, submit to the council the audited financial statements. Financial statements to be submitted to council

12. The council may require the board to report to the council on any matter relating to the carrying out of the objects of the board. Reports to council

13.—(1) The annual budget or any part thereof of the board shall be subject to the approval of council and shall be submitted to council at the time and in the form prescribed by council by by-law, and council may approve or reject any part thereof and may designate the purposes for which grants made by the Corporation shall be expended. Budget to be approved by council

(2) The board may, within the limits of the budget approved by council, incur expenses and pay salaries, fees and any other sums of money required by the board for the carrying out of its objects. Sums may be expended within approved budget

14.—(1) The council may by by-law dissolve the board. Dissolution of board

(2) The property and the income, revenue and accretions of the board shall be applied solely to promote the objects of the board and, upon the dissolution of the board, any property or assets remaining after the payment of debts shall vest in the Corporation to form part of its general funds. Transfer of assets upon dissolution

Other name
or
designation

15. With the approval of the council, the board may identify itself to the public by a name or style other than that designated in subsection 2 (1).

Commence-
ment

16. This Act comes into force on the day it receives Royal Assent.

Short title

17. The short title of this Act is the *City of Sudbury Act, 1988*.

Bill Pr20

An Act respecting the Town of Markham

Mr. Cousens

1st Reading May 24th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTES

SECTION 1. The purpose of section 1 of the Bill is to enable the council of the Town of Markham to pass by-laws respecting smoking in the workplace. Inspectors may be appointed by the Town to enforce the Act. If an inspector is obstructed in his or her duties, the inspector may apply to a justice of the peace for a warrant to enter any workplace.

SECTION 2. The purpose of section 2 is to enable the council to pass by-laws prohibiting or regulating smoking in enclosed public places.

Bill Pr20

1988

An Act respecting the Town of Markham

Whereas The Corporation of the Town of Markham, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1.—(1) In this section,

Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause (2) (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

(2) The council of the Corporation may pass by-laws,

- (a) requiring every employer in the Town of Markham, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) prescribing the method by which any notice is required to be given by the employer; and
- (k) appointing inspectors.

(3) For the enforcement of any by-law passed under this section, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries.

Inspection of
workplace

(4) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant.

Where
workplace is
a dwelling

(5) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this section.

Obstruction
of inspector
prohibited

(6) If any person,

Application
for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this section;
or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

Warrant by
justice of the
peace

(7) If a justice of the peace is satisfied on information under oath,

- (a) that there is reasonable and probable ground for believing that it is necessary,
 - (i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or
 - (ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and
- (b) that an inspector,
 - (i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,
 - (ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(8) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(9) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Application
without
notice

(10) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

2.—(1) In this section,

Definitions

“enclosed public place” means an enclosed indoor area that is open to the public and includes,

- (a) those parts of a restaurant, health care facility, retail store, commercial establishment, office building, educational or financial institution that are normally open to clients, customers, patients, students or other members of the public,
- (b) a bus or other vehicle that is used to provide transportation to the general public for a fee,
- (c) a school bus,
- (d) an elevator, escalator or stairway in any building, and
- (e) a bus shelter;

“health care facility” means a facility in which patients are or may be admitted for medical treatment or care and includes a hospital, nursing home and medical clinic;

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

(2) The council of the Corporation may pass by-laws prohibiting or regulating smoking in enclosed public places or in any class thereof during the time that the enclosed public places are actually open to the public.

By-laws
respecting
smoking in
public places

(3) A by-law passed under this section may,

Idem

- (a) designate areas where smoking is permitted in enclosed public places; and
- (b) prescribe the size, location and details of the signs which must be erected in enclosed public places.

(4) Nothing in this section limits the rights of a person in charge of an enclosed public place to further limit or ban smoking on all or part of the premises under that person's charge.

More
stringent
limitations on
smoking

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Town of Markham Act, 1988*.

Bill Pr20

*(Chapter Pr33
Statutes of Ontario, 1988)*

An Act respecting the Town of Markham

Mr. Cousens

<i>1st Reading</i>	May 24th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr20

1988

An Act respecting the Town of Markham

Whereas The Corporation of the Town of Markham, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause (2) (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

(2) The council of the Corporation may pass by-laws,

- (a) requiring every employer in the Town of Markham, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) prescribing the method by which any notice is required to be given by the employer; and
- (k) appointing inspectors.

(3) For the enforcement of any by-law passed under this section, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries.

Inspection of workplace

(4) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant.

Where workplace is a dwelling

(5) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this section.

Obstruction of inspector prohibited

(6) If any person,

Application for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this section; or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

Warrant by
justice of the
peace

(7) If a justice of the peace is satisfied on information under oath,

(a) that there is reasonable and probable ground for believing that it is necessary,

(i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or

(ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and

(b) that an inspector,

(i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,

(ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,

(iii) has been obstructed, or

(iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(8) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(9) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Application
without
notice

(10) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

2.—(1) In this section,

Definitions

“enclosed public place” means an enclosed indoor area that is open to the public and includes,

- (a) those parts of a restaurant, health care facility, retail store, commercial establishment, office building, educational or financial institution that are normally open to clients, customers, patients, students or other members of the public,
- (b) a bus or other vehicle that is used to provide transportation to the general public for a fee,
- (c) a school bus,
- (d) an elevator, escalator or stairway in any building, and
- (e) a bus shelter;

“health care facility” means a facility in which patients are or may be admitted for medical treatment or care and includes a hospital, nursing home and medical clinic;

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment.

(2) The council of the Corporation may pass by-laws prohibiting or regulating smoking in enclosed public places or in any class thereof during the time that the enclosed public places are actually open to the public.

By-laws
respecting
smoking in
public places

(3) A by-law passed under this section may,

Idem

- (a) designate areas where smoking is permitted in enclosed public places; and
- (b) prescribe the size, location and details of the signs which must be erected in enclosed public places.

(4) Nothing in this section limits the rights of a person in charge of an enclosed public place to further limit or ban smoking on all or part of the premises under that person's charge.

More
stringent
limitations on
smoking

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Town of Markham Act, 1988*.

Bill Pr21

An Act respecting the Association of Registered Wood Energy Technicians of Ontario

Mr. McGuigan

1st Reading November 25th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr21

1987

**An Act respecting the Association of
Registered Wood Energy Technicians of Ontario**

Whereas the members of the Ontario Branch of the Canadian Wood Energy Institute are desirous of being incorporated for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to re-name the Ontario Branch of the Canadian Wood Energy Institute as the Association of Registered Wood Energy Technicians of Ontario; and whereas it is considered desirable to grant the members of the proposed Association the right to use the designation "Registered Wood Energy Technician"; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"Association" means the Association of Registered Wood Energy Technicians of Ontario;

"Board" means the board of governors of the Association;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning;

"Registrar" means the Registrar of the Association;

"student" means a student member of the Association.

2.—(1) The "Association of Registered Wood Energy Technicians of Ontario" is constituted a corporation without share capital and the persons registered as members of the Ontario Branch of the Canadian Wood Energy Institute on the day this Act comes into force and such other persons as

Incorporation

hereafter become members of the Association constitute the corporation.

Head office

(2) The head office of the Association shall be in The Municipality of Metropolitan Toronto or at such other place in the Province of Ontario that may be so designated by the Board.

Objects

3. The objects of the Association are,

- (a) to furnish means and facilities by which members and students of the Association may increase their knowledge, skill and efficiency in all things related to the business or profession of a wood energy technician;
- (b) to hold examinations and set tests of competency appropriate to qualify for admission to membership in the Association;
- (c) to establish and maintain standards of knowledge and skill among its members;
- (d) to maintain discipline among members and students of the Association;
- (e) to establish and maintain standards of professional ethics among members and students of the Association;
- (f) to supervise the practice of members of the Association and students in order that the public interest may be served and protected;
- (g) to promote safe and competent practices in the installation, maintenance and operation of wood heating systems;
- (h) to promote interest in the study of wood as an energy source;
- (i) to carry on printing and publishing and to sell and distribute educational, promotional and safety literature;
- (j) to seek and maintain membership in the Canadian Wood Energy Institute and to co-operate with other organizations having objects, wholly or in part, the same as or similar to the objects of the Association;

- (k) to accept donations, gifts, legacies and bequests for use in promoting the objects and carrying on the work of the Association; and
- (l) to carry on benevolent work in connection with the families of deceased, retired or incapacitated members who are in need.

4.—(1) The affairs of the Association shall be managed by the board of governors. Board of governors

(2) The first Board shall consist of the persons named in the Schedule and they shall hold office until their successors are elected in accordance with this Act and the by-laws of the Association. First Board

(3) The Board shall consist of not fewer than five and not more than fifteen persons elected by and from the membership of the Association as defined by the by-laws of the Board. Composition of Board

(4) The Association may by by-law provide for the appointment to the Board of up to three persons who are not members of the Association. Idem

(5) The immediate past president of the Association shall be an *ex officio* member of the Board if and while that past president is a member of the Association. Ex officio member

(6) Every person who is a past president of the Association or of the Canadian Wood Energy Institute is an honorary member of the Board but as such has only the rights and privileges set out in the by-laws of the Association. Honorary members

(7) The manner of electing the members of the Board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the Board and other necessary details shall be as set out in the by-laws. Matters covered by by-law

(8) At any meeting of the Board, three-fifths of the voting members of the Board constitute a quorum. Quorum

(9) The Board shall elect from its members a president, a vice-president and a treasurer and shall appoint a secretary who need not be a member of the Board. Officers

Vacancies

(10) In the case of the death, resignation or incapacity of any member of the Board, other than a past president serving under subsection (5) or (6), the office shall be declared vacant by the Board and the Board shall fill the vacancy in the manner provided by the by-laws for the balance of the term.

Idem

(11) For the purpose of subsection (10), absence from three consecutive meetings of the Board may be treated by the Board as incapacity.

Registrar

(12) The Board shall appoint a Registrar, who need not be a member of the Board, and the Registrar shall perform the functions assigned by this Act and such other duties as may be assigned by the Board.

Proxies

5. At any general or special meeting of the Board, members may be represented by proxy but,

- (a) no proxy shall be exercised by a person who is not a member; and
- (b) the proxy shall be exercised in accordance with the by-law on voting and proxies.

Powers of Board

6.—(1) The Board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, in addition to the matters specifically provided in this Act, the Board may pass by-laws,

- (a) to prescribe the qualifications for membership in and registration by the Association;
- (b) to prescribe a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Association shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) to provide for the continuing education and professional development of its members;
- (d) to prescribe the experience criteria to be met by candidates for registration;
- (e) to establish and prescribe such categories of membership as are necessary for the purposes of the Association and in the public interest;

- (f) to regulate and govern the conduct of members of the Association in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;
- (g) to provide for the receipt and consideration of complaints made to the Association concerning the conduct of its members and the practice of their business or profession, including the establishment of a complaints committee and procedures therefor;
- (h) to prescribe fees payable to the Association;
- (i) to fix and regulate the time, place, calling and conduct of annual, general and special meetings of the Association and meetings of the Board;
- (j) to establish and provide for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations;
- (k) to authorize the making of grants for any purpose that may tend to advance wood energy technology, knowledge and education, improve standards of practice in wood energy technology, or support and encourage public information and interest in the safe installation and use of wood energy technology;
- (l) to govern the acquisition, management, disposal and conduct of the property and affairs of the Association;
- (m) to provide for the appointment, removal, functions, duties and remuneration of agents, officers and employees of the Association;
- (n) to establish such committees as the Board may consider necessary to carry out the business of the Association;
- (o) to establish and maintain a professional liability claims fund for the purpose of paying therefrom, subject to the by-laws and any rules made thereunder, professional liability claims against members;
- (p) to provide for and establish requirements for categories of membership or types of projects for which

members must secure professional liability insurance, including minimum limits of insured professional liability;

- (q) to enter into any group contract of insurance with an insurer for the payment by the insurer of professional liability claims, in whole or in part, and with or without the expense of adjusting, settling and paying the claim, including legal fees and disbursements, where that claim or expense, if not paid under contract of insurance, would be payable out of the claims fund; and
- (r) to provide for the appointment of an auditor for the Association.

Mandatory
by-laws

(2) The Board shall pass by-laws,

- (a) to provide for and govern the discipline, supervision, expulsion or other penalty for professional misconduct, incapacity or other incompetence;
- (b) to establish a discipline committee and its procedures;
- (c) to establish an appeals committee of the Board and its procedures; and
- (d) to establish a committee and its procedures for reviewing applications for admission.

Proposals by
members

(3) A member entitled to vote at an annual, general or special meeting of the Association may make a proposal to make, amend or repeal a by-law.

Notice of
proposal

(4) A notice of the member's proposal shall be delivered to the office of the Association at least thirty days before the annual meeting at which it will be considered.

Idem

(5) Upon receiving a proposal from a member to enact, amend or repeal a by-law, the Board shall cause the proposal to be published in the agenda for the next annual meeting of the Association, which agenda shall be distributed to the membership in accordance with the by-laws, but when there is not sufficient time before the next annual meeting of the Association to distribute the proposal in accordance with the by-laws, the proposal shall be contained in the agenda for the next following annual, general or special meeting and shall be distributed to the membership in accordance with the by-laws of the Association.

(6) Twenty per cent of the members entitled to vote at an annual, general or special meeting of the Association may request that the Board call and hold a special meeting to make, amend or repeal a by-law and consider any other business.

Special
meeting

(7) A request under subsection (6) shall be in writing and shall set out the reasons for the requested special meeting.

Request in
writing

(8) Upon receipt of a request under subsection (6), the Board shall call and convene the meeting in accordance with the by-laws.

Special
meeting
convened

(9) No by-law or change to an existing by-law is effective until it is ratified by the voting members of the Association at an annual, general or special meeting.

By-laws to
be ratified

(10) The by-laws shall be open to examination by the public at the head office of the Association during normal office hours.

By-laws open
to public

7.—(1) The Association shall grant a membership in the Association to every person who applies therefor in accordance with the by-laws if the person,

Membership

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership;
- (c) has passed such examinations as the Board may set or approve in accordance with the by-laws; and
- (d) in the opinion of the Board, is likely to carry on the practice of wood energy technology in accordance with law and with integrity and honesty.

(2) The by-laws shall provide that an application for membership may be refused or a disciplinary sanction may be imposed only after a hearing.

Hearing

(3) The Registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Registrar

(4) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Register
open to
public

Appeals

(5) A person who has been refused membership or who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court in accordance with the rules of court from the refusal to grant membership or from the sanction.

Record

(6) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the Registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Power of court

(7) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind the decision of the committee appealed from and may exercise all powers of the committee and may direct the committee to take any action which the committee may take and as the court considers proper and, for such purposes, the court may substitute its opinion for that of the committee or the court may refer the matter back to the committee for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designation

8.—(1) Every member of the Association may use the designation "Registered Wood Energy Technician" and may use after the member's name the initials "A.R.W.E.T.O." indicating that the member is a Registered Wood Energy Technician in Ontario.

Offence

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses the designation "Registered Wood Energy Technician" or "A.R.W.E.T.O." along or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that that person is a Registered Wood Energy Technician is guilty of an offence.

Unregistered

(3) No person who is not a Registered Wood Energy Technician may bring an action in Ontario in any court or collect fees, compensation or other remuneration for services performed as a Registered Wood Energy Technician.

Evidence

(4) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the Registrar, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certificate upon such copy of the register purporting to be signed by a person in that person's capacity as Registrar is proof, in the absence of evidence to the contrary, that such a

person is the Registrar without any proof of that person's signature or that the person is the Registrar.

(5) The absence of the name of any person from a copy of the register produced under subsection (4) is proof, in the absence of evidence to the contrary, that the person is not registered. Idem

9.—(1) The Board shall cause the removal of the name of a member from the register, Removal
from register

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member's death;
or
- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

(2) Subject to subsection (3), the Board, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of, Restoration
to register

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association;
and
- (b) such additional sum as may be prescribed by the by-laws.

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the Board may by resolution direct that the name be restored subject to such terms and conditions as the Board may impose. Idem

10. The Board shall cause a certificate of membership to be issued each year to every person whose name is entered in the register and the certificate shall state the date upon which it expires, the type of membership and every condition and limitation imposed on the person to whom the certificate is issued. Certificate of
membership

Right to
practise
unaffected

11. This Act does not affect or interfere with the right of any person who is not a member of the Association to practise as a wood energy technician in the Province of Ontario.

Surplus

12. All surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and no surplus shall be divided among its members.

Liability

13. No action or other proceeding for damages shall be instituted against,

- (a) the Association, the Board or a committee of the Association;
- (b) a member of the Association, the Board or a committee of the Association; or
- (c) an officer, employee, agent or appointee of the Association,

for any act done in good faith in the performance or intended performance of a duty or in the exercise or the intended exercise of a power under this Act or a by-law, or for any neglect or default in the performance or exercise in good faith of such duty or power.

Commence-
ment

14. This Act comes into force on the day it receives Royal Assent.

Short title

15. The short title of this Act is the *Association of Registered Wood Energy Technicians of Ontario Act, 1987*.

SCHEDULE

Edward Catton

Robert Galt

Pamela Howard

Robert Leman

Arthur Olson

Bill Pr21

*(Chapter Pr5
Statutes of Ontario, 1988)*

An Act respecting the Association of Registered Wood Energy Technicians of Ontario

Mr. McGuigan

<i>1st Reading</i>	November 25th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988



Bill Pr21

1987

An Act respecting the Association of Registered Wood Energy Technicians of Ontario

Whereas the members of the Ontario Branch of the Canadian Wood Energy Institute are desirous of being incorporated for the purpose of carrying out the objects of the proposed corporation and of the government and discipline of its members; and whereas it is considered desirable to re-name the Ontario Branch of the Canadian Wood Energy Institute as the Association of Registered Wood Energy Technicians of Ontario; and whereas it is considered desirable to grant the members of the proposed Association the right to use the designation "Registered Wood Energy Technician"; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"Association" means the Association of Registered Wood Energy Technicians of Ontario;

"Board" means the board of governors of the Association;

"registered" means registered as a member under this Act, and "registration" has a corresponding meaning;

"Registrar" means the Registrar of the Association;

"student" means a student member of the Association.

2.—(1) The "Association of Registered Wood Energy Technicians of Ontario" is constituted a corporation without share capital and the persons registered as members of the Ontario Branch of the Canadian Wood Energy Institute on the day this Act comes into force and such other persons as

Incorporation

hereafter become members of the Association constitute the corporation.

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(2) The head office of the Association shall be in The Municipality of Metropolitan Toronto or at such other place in the Province of Ontario that may be so designated by the Board.

Objects

3. The objects of the Association are,

- (a) to furnish means and facilities by which members and students of the Association may increase their knowledge, skill and efficiency in all things related to the business or profession of a wood energy technician;
- (b) to hold examinations and set tests of competency appropriate to qualify for admission to membership in the Association;
- (c) to establish and maintain standards of knowledge and skill among its members;
- (d) to maintain discipline among members and students of the Association;
- (e) to establish and maintain standards of professional ethics among members and students of the Association;
- (f) to supervise the practice of members of the Association and students in order that the public interest may be served and protected;
- (g) to promote safe and competent practices in the installation, maintenance and operation of wood heating systems;
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- (i) to carry on printing and publishing and to sell and distribute educational, promotional and safety literature;
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- (k) to accept donations, gifts, legacies and bequests for use in promoting the objects and carrying on the work of the Association; and
- (l) to carry on benevolent work in connection with the families of deceased, retired or incapacitated members who are in need.

4.—(1) The affairs of the Association shall be managed by the board of governors. Board of governors

(2) The first Board shall consist of the persons named in the Schedule and they shall hold office until their successors are elected in accordance with this Act and the by-laws of the Association. First Board

(3) The Board shall consist of not fewer than five and not more than fifteen persons elected by and from the membership of the Association as defined by the by-laws of the Board. Composition of Board

(4) The Association may by by-law provide for the appointment to the Board of up to three persons who are not members of the Association. Idem

(5) The immediate past president of the Association shall be an *ex officio* member of the Board if and while that past president is a member of the Association. Ex officio member

(6) Every person who is a past president of the Association or of the Canadian Wood Energy Institute is an honorary member of the Board but as such has only the rights and privileges set out in the by-laws of the Association. Honorary members

(7) The manner of electing the members of the Board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the Board and other necessary details shall be as set out in the by-laws. Matters covered by by-law

(8) At any meeting of the Board, three-fifths of the voting members of the Board constitute a quorum. Quorum

(9) The Board shall elect from its members a president, a vice-president and a treasurer and shall appoint a secretary who need not be a member of the Board. Officers

Vacancies

(10) In the case of the death, resignation or incapacity of any member of the Board, other than a past president serving under subsection (5) or (6), the office shall be declared vacant by the Board and the Board shall fill the vacancy in the manner provided by the by-laws for the balance of the term.

Idem

(11) For the purpose of subsection (10), absence from three consecutive meetings of the Board may be treated by the Board as incapacity.

Registrar

(12) The Board shall appoint a Registrar, who need not be a member of the Board, and the Registrar shall perform the functions assigned by this Act and such other duties as may be assigned by the Board.

Proxies

5. At any general or special meeting of the Board, members may be represented by proxy but,

- (a) no proxy shall be exercised by a person who is not a member; and
- (b) the proxy shall be exercised in accordance with the by-law on voting and proxies.

Powers of Board

6.—(1) The Board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, in addition to the matters specifically provided in this Act, the Board may pass by-laws,

- (a) to prescribe the qualifications for membership in and registration by the Association;
- (b) to prescribe a curriculum and courses of study to be pursued by students and the subjects upon which students and candidates for admission as members of the Association shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) to provide for the continuing education and professional development of its members;
- (d) to prescribe the experience criteria to be met by candidates for registration;
- (e) to establish and prescribe such categories of membership as are necessary for the purposes of the Association and in the public interest;

- (f) to regulate and govern the conduct of members of the Association in the practice of their business or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;
- (g) to provide for the receipt and consideration of complaints made to the Association concerning the conduct of its members and the practice of their business or profession, including the establishment of a complaints committee and procedures therefor;
- (h) to prescribe fees payable to the Association;
- (i) to fix and regulate the time, place, calling and conduct of annual, general and special meetings of the Association and meetings of the Board;
- (j) to establish and provide for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations;
- (k) to authorize the making of grants for any purpose that may tend to advance wood energy technology, knowledge and education, improve standards of practice in wood energy technology, or support and encourage public information and interest in the safe installation and use of wood energy technology;
- (l) to govern the acquisition, management, disposal and conduct of the property and affairs of the Association;
- (m) to provide for the appointment, removal, functions, duties and remuneration of agents, officers and employees of the Association;
- (n) to establish such committees as the Board may consider necessary to carry out the business of the Association;
- (o) to establish and maintain a professional liability claims fund for the purpose of paying therefrom, subject to the by-laws and any rules made thereunder, professional liability claims against members;
- (p) to provide for and establish requirements for categories of membership or types of projects for which

members must secure professional liability insurance, including minimum limits of insured professional liability;

- (q) to enter into any group contract of insurance with an insurer for the payment by the insurer of professional liability claims, in whole or in part, and with or without the expense of adjusting, settling and paying the claim, including legal fees and disbursements, where that claim or expense, if not paid under contract of insurance, would be payable out of the claims fund; and
- (r) to provide for the appointment of an auditor for the Association.

Mandatory
by-laws

(2) The Board shall pass by-laws,

- (a) to provide for and govern the discipline, supervision, expulsion or other penalty for professional misconduct, incapacity or other incompetence;
- (b) to establish a discipline committee and its procedures;
- (c) to establish an appeals committee of the Board and its procedures; and
- (d) to establish a committee and its procedures for reviewing applications for admission.

Proposals by
members

(3) A member entitled to vote at an annual, general or special meeting of the Association may make a proposal to make, amend or repeal a by-law.

Notice of
proposal

(4) A notice of the member's proposal shall be delivered to the office of the Association at least thirty days before the annual meeting at which it will be considered.

Idem

(5) Upon receiving a proposal from a member to enact, amend or repeal a by-law, the Board shall cause the proposal to be published in the agenda for the next annual meeting of the Association, which agenda shall be distributed to the membership in accordance with the by-laws, but when there is not sufficient time before the next annual meeting of the Association to distribute the proposal in accordance with the by-laws, the proposal shall be contained in the agenda for the next following annual, general or special meeting and shall be distributed to the membership in accordance with the by-laws of the Association.

(6) Twenty per cent of the members entitled to vote at an annual, general or special meeting of the Association may request that the Board call and hold a special meeting to make, amend or repeal a by-law and consider any other business.

Special
meeting

(7) A request under subsection (6) shall be in writing and shall set out the reasons for the requested special meeting.

Request in
writing

(8) Upon receipt of a request under subsection (6), the Board shall call and convene the meeting in accordance with the by-laws.

Special
meeting
convened

(9) No by-law or change to an existing by-law is effective until it is ratified by the voting members of the Association at an annual, general or special meeting.

By-laws to
be ratified

(10) The by-laws shall be open to examination by the public at the head office of the Association during normal office hours.

By-laws open
to public

7.—(1) The Association shall grant a membership in the Association to every person who applies therefor in accordance with the by-laws if the person,

Membership

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership;
- (c) has passed such examinations as the Board may set or approve in accordance with the by-laws; and
- (d) in the opinion of the Board, is likely to carry on the practice of wood energy technology in accordance with law and with integrity and honesty.

(2) The by-laws shall provide that an application for membership may be refused or a disciplinary sanction may be imposed only after a hearing.

Hearing

(3) The Registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Registrar

(4) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Register
open to
public

Appeals

(5) A person who has been refused membership or who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court in accordance with the rules of court from the refusal to grant membership or from the sanction.

Record

(6) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the Registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Power of court

(7) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind the decision of the committee appealed from and may exercise all powers of the committee and may direct the committee to take any action which the committee may take and as the court considers proper and, for such purposes, the court may substitute its opinion for that of the committee or the court may refer the matter back to the committee for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designation

8.—(1) Every member of the Association may use the designation "Registered Wood Energy Technician" and may use after the member's name the initials "A.R.W.E.T.O." indicating that the member is a Registered Wood Energy Technician in Ontario.

Offence

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses the designation "Registered Wood Energy Technician" or "A.R.W.E.T.O." along or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that that person is a Registered Wood Energy Technician is guilty of an offence.

Unregistered

(3) No person who is not a Registered Wood Energy Technician may bring an action in Ontario in any court or collect fees, compensation or other remuneration for services performed as a Registered Wood Energy Technician.

Evidence

(4) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the Registrar, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certificate upon such copy of the register purporting to be signed by a person in that person's capacity as Registrar is proof, in the absence of evidence to the contrary, that such a

person is the Registrar without any proof of that person's signature or that the person is the Registrar.

(5) The absence of the name of any person from a copy of the register produced under subsection (4) is proof, in the absence of evidence to the contrary, that the person is not registered. Idem

9.—(1) The Board shall cause the removal of the name of a member from the register, Removal from register

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member's death; or
- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

(2) Subject to subsection (3), the Board, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of, Restoration to register

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association; and
- (b) such additional sum as may be prescribed by the by-laws.

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the Board may by resolution direct that the name be restored subject to such terms and conditions as the Board may impose. Idem

10. The Board shall cause a certificate of membership to be issued each year to every person whose name is entered in the register and the certificate shall state the date upon which it expires, the type of membership and every condition and limitation imposed on the person to whom the certificate is issued. Certificate of membership

Right to
practise
unaffected

11. This Act does not affect or interfere with the right of any person who is not a member of the Association to practise as a wood energy technician in the Province of Ontario.

Surplus

12. All surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and no surplus shall be divided among its members.

Liability

13. No action or other proceeding for damages shall be instituted against,

- (a) the Association, the Board or a committee of the Association;
- (b) a member of the Association, the Board or a committee of the Association; or
- (c) an officer, employee, agent or appointee of the Association,

for any act done in good faith in the performance or intended performance of a duty or in the exercise or the intended exercise of a power under this Act or a by-law, or for any neglect or default in the performance or exercise in good faith of such duty or power.

Commence-
ment

14. This Act comes into force on the day it receives Royal Assent.

Short title

15. The short title of this Act is the *Association of Registered Wood Energy Technicians of Ontario Act, 1988*.

SCHEDULE

Edward Catton

Robert Galt

Pamela Howard

Robert Leman

Arthur Olson

Bill Pr22

An Act respecting the City of Mississauga

Mr. Offer

1st Reading December 17th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The proposed Bill authorizes the council of The Corporation of the City of Mississauga to establish supplementary pensions for council members and their surviving spouses and children.

Bill Pr22

1987

An Act respecting the City of Mississauga

Whereas The Corporation of the City of Mississauga hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Corporation” means The Corporation of the City of Mississauga;

“council” means the council of The Corporation of the City of Mississauga.

2.—(1) The council may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

R.S.O. 1980,
c. 348

(2) In subsection (1), “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

(3) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior service

Amendments
to by-law

(4) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (3).

Two-thirds
vote required

(5) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.

Adminis-
tration

3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board or any other qualified person may enter into agreements to administer pensions provided under this Act.

Idem

(2) The Corporation may enter into agreements to administer pensions provided under this Act and the agreement may authorize the Corporation to enter an agreement under subsection (1) with respect to pensions administered under an agreement made under this subsection.

Deductions

(3) The Corporation shall deduct by instalments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

Non-
application
R.S.O. 1980,
c. 347

4. Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Municipal Board approval with respect to pensions provided under this Act.

Transition

5. A pension may be provided under this Act to a person who was a member of council on the 30th day of November, 1985, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to the 1st day of December, 1985.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *City of Mississauga Act, 1987*.

Bill Pr22

An Act respecting the City of Mississauga

Mr. Offer

1st Reading December 17th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The proposed Bill authorizes the council of The Corporation of the City of Mississauga to establish supplementary pensions for council members and their surviving spouses and children.

Bill Pr22

1987

An Act respecting the City of Mississauga

Whereas The Corporation of the City of Mississauga hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Corporation” means The Corporation of the City of Mississauga;

“council” means the council of The Corporation of the City of Mississauga.

2.—(1) The council may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

R.S.O. 1980,
c. 348

(2) In subsection (1), “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

(3) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior service

Amendments
to by-law

(4) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (3).

Two-thirds
vote required

(5) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.

Adminis-
tration

3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board or any other qualified person may enter into agreements to administer pensions provided under this Act.

Idem

(2) The Corporation may enter into agreements to administer pensions provided under this Act and the agreement may authorize the Corporation to enter an agreement under subsection (1) with respect to pensions administered under an agreement made under this subsection.

Deductions

(3) The Corporation shall deduct by instalments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

Non-
application
R.S.O. 1980,
c. 347

4. Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Municipal Board approval with respect to pensions provided under this Act.

Transition

5. A pension may be provided under this Act to a person who was a member of council on the 1st day of January, 1987, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to that date.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *City of Mississauga Act, 1987*.

Bill Pr22

*(Chapter Pr17
Statutes of Ontario, 1988)*

An Act respecting the City of Mississauga

Mr. Offer

<i>1st Reading</i>	December 17th, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr22

1987

An Act respecting the City of Mississauga

Whereas The Corporation of the City of Mississauga hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Corporation” means The Corporation of the City of Mississauga;

“council” means the council of The Corporation of the City of Mississauga.

2.—(1) The council may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

R.S.O. 1980,
c. 348

(2) In subsection (1), “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

(3) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior service

- Amendments
to by-law (4) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (3).
- Two-thirds
vote required (5) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.
- Adminis-
tration **3.—**(1) The Corporation and the Ontario Municipal Employees Retirement Board or any other qualified person may enter into agreements to administer pensions provided under this Act.
- Idem (2) The Corporation may enter into agreements to administer pensions provided under this Act and the agreement may authorize the Corporation to enter an agreement under subsection (1) with respect to pensions administered under an agreement made under this subsection.
- Deductions (3) The Corporation shall deduct by instalments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.
- Non-
application
R.S.O. 1980,
c. 347 **4.** Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Municipal Board approval with respect to pensions provided under this Act.
- Transition **5.** A pension may be provided under this Act to a person who was a member of council on the 1st day of January, 1987, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to that date.
- Commence-
ment **6.** This Act comes into force on the day it receives Royal Assent.
- Short title **7.** The short title of this Act is the *City of Mississauga Act, 1988*.

Bill Pr23

An Act to revive Sudbury Cardio-Thoracic Foundation

Mr. Campbell

<i>1st Reading</i>	November 17th, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr23

1987

**An Act to revive
Sudbury Cardio-Thoracic Foundation**

Whereas Gary Kivinen hereby represents that the Sudbury Cardio-Thoracic Foundation, herein called the Corporation, was incorporated by letters patent dated the 7th day of May, 1965; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicant Gary Kivinen was a director and officer of the Corporation at the time of its dissolution and is an officer of the on-going organization; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the function of the Corporation was to promote, encourage, assist and fund research and scholarship into and to provide facilities for the study of diseases and disorders of the circulatory and pulmonary systems and related illnesses; that the Corporation at the time of its dissolution was performing that function and since that time that function has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sudbury Cardio-Thoracic Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts Corporation
revived

as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sudbury Cardio-Thoracic Foundation Act, 1987*.

Bill Pr23

*(Chapter Pr6
Statutes of Ontario, 1988)*

**An Act to revive
Sudbury Cardio-Thoracic Foundation**

Mr. Campbell

<i>1st Reading</i>	November 17th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988



Bill Pr23

1987

**An Act to revive
Sudbury Cardio-Thoracic Foundation**

Whereas Gary Kivinen hereby represents that the Sudbury Cardio-Thoracic Foundation, herein called the Corporation, was incorporated by letters patent dated the 7th day of May, 1965; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicant Gary Kivinen was a director and officer of the Corporation at the time of its dissolution and is an officer of the on-going organization; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the function of the Corporation was to promote, encourage, assist and fund research and scholarship into and to provide facilities for the study of diseases and disorders of the circulatory and pulmonary systems and related illnesses; that the Corporation at the time of its dissolution was performing that function and since that time that function has continued to be carried on in the name of the Corporation; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sudbury Cardio-Thoracic Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts

Corporation
revived

as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Sudbury Cardio-Thoracic Foundation Act, 1988*.

Bill Pr24

An Act respecting the Hamilton Civic Hospitals

Ms. Collins

1st Reading December 7th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The Bill revises the Act of incorporation of Hamilton Civic Hospitals. The Bill alters the number and manner of appointment of the board of directors of the hospital corporation.

The Bill also eliminates the capital grant power of The Regional Municipality of Hamilton-Wentworth and the responsibility of the Regional Municipality for the operating grants or operational deficits of Hamilton Civic Hospitals.

Bill Pr24

1987

An Act respecting the Hamilton Civic Hospitals

Whereas the Hamilton Civic Hospitals, herein called the corporation, hereby represents that it was incorporated by *The Hamilton Civic Hospitals Act, 1961-62*, being chapter 152, under the name "The Board of Governors of the Hamilton Civic Hospitals"; that by supplementary letters patent dated the 17th day of May, 1977, the name of the corporation was changed to "Hamilton Civic Hospitals"; and whereas the special Act was revised by *The Hamilton Civic Hospitals Act, 1978*, being chapter 121; and whereas The Regional Municipality of Hamilton-Wentworth and the corporation wish to revise the corporation's Act of incorporation so that the Regional Municipality will no longer be responsible for the operating grants or operational debt of the corporation and so that the regional representation on the board of directors of the corporation is decreased; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the corporation;

"City" means The Corporation of the City of Hamilton;

"city council" means the council of the City;

"hospitals" means the hospitals and related facilities operated by the corporation;

"Region" means The Regional Municipality of Hamilton-Wentworth;

"regional council" means the council of The Regional Municipality of Hamilton-Wentworth.

Corporation
continued

2. Hamilton Civic Hospitals is hereby continued as a corporation without share capital and shall be composed of those persons who comprise its board.

Objects and
purposes

3. The objects and purposes of the corporation are to operate, maintain and manage the hospitals.

Board of
directors

4.—(1) The board shall be constituted as follows:

1. The mayor of the City but, if the mayor is unwilling or unable to be a member of the board, a member of city council appointed by city council for the remainder of the term for which the mayor was elected.
2. The chairman of the Region or, if the chairman is unwilling or unable to be a member of the board, a member of the regional council appointed by regional council for the remainder of the term for which the chairman was elected or appointed.
3. One person appointed by and from the regional council for the term of the regional council, so long as that person remains a member of the regional council.
4. One person appointed by and from the city council for the term of the city council, so long as that person remains a member of the city council.
5. The president of the Volunteer Association of Hamilton Civic Hospitals.
6. Sixteen persons appointed by the city council for a term of four years of whom eight shall be nominated by the city council and eight shall be nominated by The Hamilton Civic Hospitals Foundation.
7. Such persons as are provided for under the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Transition

(2) Every member of the board in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Eligibility

(3) A person elected to the regional council or the city council is not eligible to be appointed a member of the board under paragraph 6 of subsection (1) during the term for which that person was elected.

(4) If a vacancy occurs in the membership of the board, the body who appointed the member shall appoint a person to fill the vacancy and the appointee shall hold office for the remainder of the unexpired term of the vacating member. Vacancy

(5) Members of the board are eligible for reappointment. Reappointment

(6) The board shall meet at least once every three months. Meetings of board

(7) The board may elect from the members an executive committee consisting of not less than three and not more than seven members and delegate to the executive committee any of its powers. Executive committee

(8) Nine members constitute a quorum of the board. Quorum

(9) The members of the board shall serve without remuneration except for actual disbursements incurred in connection with the affairs of the corporation and approved by the board. Remuneration

5. The board may, Powers

(a) subject to the *Public Hospitals Act*, enact by-laws for the general management, operation and maintenance of the hospitals; R.S.O. 1980, c. 410

(b) subject to the *Health Insurance Act*, fix the fees to be charged to patients for accommodation in and services rendered by the hospitals; R.S.O. 1980, c. 197

(c) invest any funds of the corporation in such securities as are authorized by law for investment by trustees under the *Trustee Act*; and R.S.O. 1980, c. 512

(d) subject to the *Public Hospitals Act*, plan, contract for and supervise the erection, equipping and furnishing of additional hospitals and the alteration or enlargement of existing hospitals to the extent of any funds available from any source for such purposes.

6.—(1) All personal property used by the corporation in the operation of the hospitals is vested in the corporation. Personal property

(2) The lands, buildings and fixtures owned by the City on the day this Act comes into force for hospital purposes shall continue to be vested in the City until the same or any portions thereof are sold or otherwise disposed of by the City, and the City may continue to acquire and hold lands, buildings and fixtures for hospital purposes. Property owned by City

Sale or
disposal of
property
owned by
City

(3) The City shall not sell or otherwise dispose of any lands, building or fixtures used for hospital purposes unless,

(a) they are no longer required for hospital purposes; and

(b) the corporation consents to the sale or disposal.

Liabilities

7. The corporation is responsible for the payment of all liabilities in respect of the general management, operation and maintenance of the hospitals.

Auditor

R.S.O. 1980,
c. 405

8.—(1) The board shall appoint a public accountant licensed under the *Public Accountancy Act* as auditor of the corporation.

Annual
report

(2) The annual report of the corporation shall be submitted to city council.

Gift, etc.

9. All gifts, trusts, bequests, devises and grants of real or personal property in a deed or will to the City Hospital of Hamilton, now known as Hamilton General Hospital, the Mount Hamilton Hospital, the Nora-Frances Henderson Hospital or Hamilton Civic Hospitals shall, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made, in the case of personal property, to the corporation and, in the case of real property, to the City for the purposes of the corporation.

Right of
recourse

10. Any payment made by the Region of an account to it by the corporation for treatment of a patient or for any expenses of burial of a deceased patient may be recovered by the Region in the same manner as a municipality under section 24 or 25 of the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Claims
against
corporation

11. All claims, accounts and demands arising from or relating to the management, operation or maintenance of the hospitals, or from the exercise of any of the powers of the board, shall be made upon and brought against the corporation and not upon or against the City or the Region.

Insurance

12. The corporation shall carry adequate insurance on property used by the corporation in the operation of the hospitals including public liability and indemnity insurance in connection with the general management, operation and maintenance of the hospitals.

Repeal

13. *The Hamilton Civic Hospitals Act, 1978*, being chapter 121, is repealed.

14. This Act comes into force on the day it receives Royal Assent. Commence-
ment

15. The short title of this Act is the *Hamilton Civic Hospitals Act, 1987*. Short title

Bill Pr24

*(Chapter Pr18
Statutes of Ontario, 1988)*

An Act respecting the Hamilton Civic Hospitals

Ms Collins

<i>1st Reading</i>	December 7th, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr24

1987

An Act respecting the Hamilton Civic Hospitals

Whereas the Hamilton Civic Hospitals, herein called the corporation, hereby represents that it was incorporated by *The Hamilton Civic Hospitals Act, 1961-62*, being chapter 152, under the name "The Board of Governors of the Hamilton Civic Hospitals"; that by supplementary letters patent dated the 17th day of May, 1977, the name of the corporation was changed to "Hamilton Civic Hospitals"; and whereas the special Act was revised by *The Hamilton Civic Hospitals Act, 1978*, being chapter 121; and whereas The Regional Municipality of Hamilton-Wentworth and the corporation wish to revise the corporation's Act of incorporation so that the Regional Municipality will no longer be responsible for the operating grants or operational debt of the corporation and so that the regional representation on the board of directors of the corporation is decreased; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

"board" means the board of directors of the corporation;

"City" means The Corporation of the City of Hamilton;

"city council" means the council of the City;

"hospitals" means the hospitals and related facilities operated by the corporation;

"Region" means The Regional Municipality of Hamilton-Wentworth;

"regional council" means the council of The Regional Municipality of Hamilton-Wentworth.

Corporation
continued

2. Hamilton Civic Hospitals is hereby continued as a corporation without share capital and shall be composed of those persons who comprise its board.

Objects and
purposes

3. The objects and purposes of the corporation are to operate, maintain and manage the hospitals.

Board of
directors

4.—(1) The board shall be constituted as follows:

1. The mayor of the City but, if the mayor is unwilling or unable to be a member of the board, a member of city council appointed by city council for the remainder of the term for which the mayor was elected.
2. The chairman of the Region or, if the chairman is unwilling or unable to be a member of the board, a member of the regional council appointed by regional council for the remainder of the term for which the chairman was elected or appointed.
3. One person appointed by and from the regional council for the term of the regional council, so long as that person remains a member of the regional council.
4. One person appointed by and from the city council for the term of the city council, so long as that person remains a member of the city council.
5. The president of the Volunteer Association of Hamilton Civic Hospitals.
6. Sixteen persons appointed by the city council for a term of four years of whom eight shall be nominated by the city council and eight shall be nominated by The Hamilton Civic Hospitals Foundation.
7. Such persons as are provided for under the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Transition

(2) Every member of the board in office immediately before the coming into force of this Act shall continue to hold office until the term of office of the member expires.

Eligibility

(3) A person elected to the regional council or the city council is not eligible to be appointed a member of the board under paragraph 6 of subsection (1) during the term for which that person was elected.

(4) If a vacancy occurs in the membership of the board, the body who appointed the member shall appoint a person to fill the vacancy and the appointee shall hold office for the remainder of the unexpired term of the vacating member. Vacancy

(5) Members of the board are eligible for reappointment. Reappointment

(6) The board shall meet at least once every three months. Meetings of board

(7) The board may elect from the members an executive committee consisting of not less than three and not more than seven members and delegate to the executive committee any of its powers. Executive committee

(8) Nine members constitute a quorum of the board. Quorum

(9) The members of the board shall serve without remuneration except for actual disbursements incurred in connection with the affairs of the corporation and approved by the board. Remuneration

5. The board may, Powers

(a) subject to the *Public Hospitals Act*, enact by-laws for the general management, operation and maintenance of the hospitals; R.S.O. 1980, c. 410

(b) subject to the *Health Insurance Act*, fix the fees to be charged to patients for accommodation in and services rendered by the hospitals; R.S.O. 1980, c. 197

(c) invest any funds of the corporation in such securities as are authorized by law for investment by trustees under the *Trustee Act*; and R.S.O. 1980, c. 512

(d) subject to the *Public Hospitals Act*, plan, contract for and supervise the erection, equipping and furnishing of additional hospitals and the alteration or enlargement of existing hospitals to the extent of any funds available from any source for such purposes.

6.—(1) All personal property used by the corporation in the operation of the hospitals is vested in the corporation. Personal property

(2) The lands, buildings and fixtures owned by the City on the day this Act comes into force for hospital purposes shall continue to be vested in the City until the same or any portions thereof are sold or otherwise disposed of by the City, and the City may continue to acquire and hold lands, buildings and fixtures for hospital purposes. Property owned by City

Sale or
disposal of
property
owned by
City

(3) The City shall not sell or otherwise dispose of any lands, building or fixtures used for hospital purposes unless,

(a) they are no longer required for hospital purposes; and

(b) the corporation consents to the sale or disposal.

Liabilities

7. The corporation is responsible for the payment of all liabilities in respect of the general management, operation and maintenance of the hospitals.

Auditor

R.S.O. 1980,
c. 405

8.—(1) The board shall appoint a public accountant licensed under the *Public Accountancy Act* as auditor of the corporation.

Annual
report

(2) The annual report of the corporation shall be submitted to city council.

Gift, etc.

9. All gifts, trusts, bequests, devises and grants of real or personal property in a deed or will to the City Hospital of Hamilton, now known as Hamilton General Hospital, the Mount Hamilton Hospital, the Nora-Frances Henderson Hospital or Hamilton Civic Hospitals shall, in the absence of an expressed intention to the contrary set out in such deed or will, be construed as though the same had been expressed to be made, in the case of personal property, to the corporation and, in the case of real property, to the City for the purposes of the corporation.

Right of
recourse

10. Any payment made by the Region of an account to it by the corporation for treatment of a patient or for any expenses of burial of a deceased patient may be recovered by the Region in the same manner as a municipality under section 24 or 25 of the *Public Hospitals Act*.

R.S.O. 1980,
c. 410

Claims
against
corporation

11. All claims, accounts and demands arising from or relating to the management, operation or maintenance of the hospitals, or from the exercise of any of the powers of the board, shall be made upon and brought against the corporation and not upon or against the City or the Region.

Insurance

12. The corporation shall carry adequate insurance on property used by the corporation in the operation of the hospitals including public liability and indemnity insurance in connection with the general management, operation and maintenance of the hospitals.

Repeal

13. *The Hamilton Civic Hospitals Act, 1978*, being chapter 121, is repealed.

14. This Act comes into force on the day it receives Royal Assent. Commence-
ment

15. The short title of this Act is the *Hamilton Civic Hospitals Act, 1988*. Short title

Bill Pr25

An Act respecting Kingsway General Insurance Company

Mr. Cousens

1st Reading December 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr25

1987

An Act respecting Kingsway General Insurance Company

Whereas Kingsway General Insurance Company, herein called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent dated the 19th day of August, 1986; that the said letters patent were amended by supplementary letters patent dated the 18th day of November, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subject to authorization by special resolution under the *Corporations Act*, the Company may apply to the Minister of Consumer and Corporate Affairs of Canada or such other Minister of Canada responsible therefor for letters patent continuing the Company as if it had been incorporated under an Act of the Parliament of Canada and providing *inter alia* that all rights and interests of the shareholders, policyholders and creditors of the Company in, to or against the property, rights and assets of the Company and all liens upon the property, rights and assets of the Company are unimpaired by such continuation.

Application
to Minister
of Consumer
and
Corporate
Affairs
authorized
R.S.O. 1980,
c. 95

2. Upon the issue of the letters patent referred to in section 1, the Company shall file with the Minister of Consumer and Commercial Relations a notice of the issue of such letters patent together with a copy of such letters patent certified by the Department of Consumer and Corporate Affairs and, on and after the date of the filing of such notice, the *Corporations Act* shall cease to apply to the Company.

Items to be
filed

R.S.O. 1980,
c. 95

3. The Minister of Consumer and Commercial Relations may, on receipt of the notice and certified copy of the letters

Minister's
certificate

patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Kingsway General Insurance Company Act, 1987*.

Bill Pr25

*(Chapter Pr19
Statutes of Ontario, 1988)*

An Act respecting Kingsway General Insurance Company

Mr. Cousens

<i>1st Reading</i>	December 9th, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr25

1987

An Act respecting Kingsway General Insurance Company

Whereas Kingsway General Insurance Company, herein called the Company, hereby represents that it was incorporated under the laws of the Province of Ontario by letters patent dated the 19th day of August, 1986; that the said letters patent were amended by supplementary letters patent dated the 18th day of November, 1986; that the Company desires to be continued under the jurisdiction of the Parliament of Canada; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

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Application
to Minister
of Consumer
and
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Affairs
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R.S.O. 1980,
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Items to be
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R.S.O. 1980,
c. 95

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patent referred to in section 2, issue a certificate to the Company confirming the date of such filing.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Kingsway General Insurance Company Act, 1988*.

Bill Pr26

An Act to revive 353583 Ontario Limited

Mr. Kanter

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr26

1987

An Act to revive 353583 Ontario Limited

Whereas Allistair Lorne Campbell and Sydney Chertkoff hereby represent that 353583 Ontario Limited, hereinafter called the Corporation, was incorporated by articles of incorporation dated the 11th day of March, 1977; that the Minister of Consumer and Commercial Relations by order dated the 22nd day of March, 1982 and made under subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 22nd day of March, 1982; that the applicants were all the directors and the holders of 99 per cent of the common shares of the Corporation at the time of its dissolution; that the failure to comply with the *Corporations Tax Act* was by reason of inadvertence on the part of the Corporation when its books and records were wrongfully appropriated by a disgruntled employee; that the illness and ultimate death of the former solicitor of the Corporation prevented the timely filing of articles of revival under the *Business Corporations Act, 1982*; that the Corporation at the time of its dissolution was carrying on active business and has continued to carry on such business since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 54

R.S.O. 1980,
c. 97

1982, c. 4

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 353583 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *353583 Ontario Limited Act, 1987*.

Bill Pr26

*(Chapter Pr7
Statutes of Ontario, 1988)*

An Act to revive 353583 Ontario Limited

Mr. Kanter

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr26

1987

An Act to revive 353583 Ontario Limited

Whereas Allistair Lorne Campbell and Sydney Chertkoff hereby represent that 353583 Ontario Limited, hereinafter called the Corporation, was incorporated by articles of incorporation dated the 11th day of March, 1977; that the Minister of Consumer and Commercial Relations by order dated the 22nd day of March, 1982 and made under subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 22nd day of March, 1982; that the applicants were all the directors and the holders of 99 per cent of the common shares of the Corporation at the time of its dissolution; that the failure to comply with the *Corporations Tax Act* was by reason of inadvertence on the part of the Corporation when its books and records were wrongfully appropriated by a disgruntled employee; that the illness and ultimate death of the former solicitor of the Corporation prevented the timely filing of articles of revival under the *Business Corporations Act*, 1982; that the Corporation at the time of its dissolution was carrying on active business and has continued to carry on such business since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

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Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *353583 Ontario Limited Act, 1988*.

Bill Pr27

An Act respecting the Ontario Municipal Management Institute

Mr. Campbell

<i>1st Reading</i>	December 22nd, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr27

1987

**An Act respecting the
Ontario Municipal Management Institute**

Whereas the Ontario Municipal Management Development Board hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 24th day of May, 1979; that the Ontario Municipal Management Development Board desires to be continued as a corporation under the name of the Ontario Municipal Management Institute, herein called the Institute, for the purpose of carrying out the objects of the Institute and of the government and discipline of its members; and whereas the Institute desires to grant to its members the exclusive right to use certain designations and abbreviations thereof as set out in section 7; and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the Institute;

“registered” means registered as a member under this Act and
“registration” has a corresponding meaning;

“registrar” means the registrar of the Institute.

2.—(1) The corporation known as the Ontario Municipal Management Development Board is hereby continued as a corporation without share capital under the name of the Ontario Municipal Management Institute and the persons registered as members of the Institute on the day this Act comes into force and such other persons as hereafter become members of the Institute constitute the corporation.

Board
continued

(2) The members of the board of directors and the officers of the Institute in office immediately before the coming into

Continuation
of directors,
officers

force of this Act are hereby continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Institute.

Letters
patent
revoked

(3) The letters patent of the Institute are revoked, but the revocation does not affect the rights or obligations of the Institute or any by-law, resolution or appointment of the Institute except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act
incorporated

(4) The Institute shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Institute are,

- (a) to administer a professional development and recognition system for municipal management;
- (b) to organize and administer management training seminars;
- (c) to promote effective relationships with educational institutions to assure a basic understanding of local governments;
- (d) to prepare publications on municipal management topics;
- (e) to provide an information service concerning management policies in Ontario municipalities; and
- (f) to provide a data base on training, developmental and educational opportunities for those pursuing a career in municipal management.

Board of
directors

4.—(1) The affairs of the Institute shall be managed by a board of directors.

Composition

(2) The board shall consist of not fewer than ten or more than sixty members of the Institute, as the board may determine by by-law, elected from the membership of the Institute.

Past
president

(3) The immediate past president of the Institute shall be a member of the board.

Election of
board

(4) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes and the tenure

of office of members of the board shall be set out in the by-laws of the Institute.

(5) The directors shall serve without remuneration and no director shall directly or indirectly receive any profit from his or her position but the directors may be paid reasonable expenses incurred by them in the performance of their duties. No remuneration

(6) At any meeting of the board, a majority of the members of the board constitutes a quorum. Quorum

(7) The board shall appoint from its number a president and vice-president and shall appoint a secretary who need not be a member of the board. President, etc.

(8) The board may appoint such other persons as are necessary to perform the work of the Institute. Other appointments

(9) In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term. Vacancies

(10) The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to the registrar by this Act and such other duties as may be assigned to the registrar by the board. Registrar

5.—(1) The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute and, without restricting the generality of the foregoing, the board may pass by-laws, By-laws

- (a) establishing the qualifications for and conditions of membership and certification;
- (b) establishing a curriculum and courses of study to be pursued by members and the subjects upon which members of the Institute shall be examined and for granting certificates to candidates who have successfully passed the examinations;
- (c) prescribing rules of behaviour for certified municipal managers and providing for the suspension, expulsion or other penalty for a contravention of the rules of behaviour;
- (d) prescribing fees payable to the Institute;

- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) authorizing the spending of funds for any purpose that may tend to advance the knowledge and education of persons in local governments in the Province of Ontario or improve standards of practice in municipal administration, or support and encourage public information and interest in the past and present role of municipal managers in society;
- (g) providing for the custody and use of the seal of the Institute;
- (h) providing for the manner in which records and the making of reports are maintained and kept for and by the Institute; and
- (i) appointing committees and delegating to a committee the power and authority to act for the board with respect to any matter or class of matters where a majority of the members of the committee are members of the board.

Confirmation
of by-law

(2) No by-law passed by the board comes into force until it is confirmed or amended and confirmed by at least two-thirds of the votes cast at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Borrowing
by-laws
R.S.O. 1980,
c. 95

(3) The borrowing power of the Institute under section 59 of the *Corporations Act* is limited to borrowing money for current operating expenses unless it borrows on the security of real or personal property.

Membership

6.—(1) The Institute shall grant a membership in the Institute to any person who applies therefor in accordance with the by-laws.

Register

(2) The registrar shall keep a register in which shall be entered the names of all members of the Institute and their status of certification and only those persons so registered are members entitled to the privileges of membership in the Institute.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Institute during normal office hours.

Appeals

(4) Any person who has been refused membership or certification or who has been subject to a disciplinary sanction

under the by-laws of the Institute may appeal to the Divisional Court, in accordance with the rules of the Court, from the refusal or from the sanction.

(5) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Certified
copy of
record

7.—(1) Every member of the Institute who has satisfied the criteria as set out in the by-laws of the Institute may use the designation “Certified Municipal Manager”, “Certified Municipal Manager I”, “Certified Municipal Manager II” or “Certified Municipal Manager III”, as the case may be, and may use after the member’s name the initials “CMM”, “CMM I”, “CMM II” or “CMM III”, respectively.

Designations

(2) Any person in Ontario who, not being entitled to do so under subsection (1), takes or uses any designation or any set of initials referred to in subsection (1) either alone or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that he or she is a certified municipal manager is guilty of an offence.

Offence

(3) In every case where certification is an issue, the production of a copy of the register, certified under the hand of the registrar, is sufficient evidence of the certification status of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person’s capacity as registrar is proof, in the absence of evidence to the contrary, that such a person is the registrar without any proof of that person’s signature or that the person is the registrar.

Evidence

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not certified.

Idem

8. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a municipal officer or employee in the Province of Ontario.

Right to
practice
unaffected

9.—(1) The Institute shall be carried on without the purpose of gain for its members and any profits or other accretions to the Institute shall be used in promoting its objects.

Not to be
carried on
for gain

(2) Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in

Surplus

promoting and carrying out its objects and purposes and shall not be divided among its members.

Dissolution

(3) Upon the dissolution of the Institute, all its remaining property, after the payment of all debts and liabilities, shall be distributed to one or more recognized charitable organizations which carry on their work solely in Ontario.

Filing of
annual
financial
statement

(4) The Institute shall file with the Public Trustee an annual audited financial statement.

Commence-
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Ontario Municipal Management Institute Act, 1987*.

Bill Pr27

*(Chapter Pr20
Statutes of Ontario, 1988)*

An Act respecting the Ontario Municipal Management Institute

Mr. Campbell

<i>1st Reading</i>	December 22nd, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr27**1987**

An Act respecting the Ontario Municipal Management Institute

Whereas the Ontario Municipal Management Development Board hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 24th day of May, 1979; that the Ontario Municipal Management Development Board desires to be continued as a corporation under the name of the Ontario Municipal Management Institute, herein called the Institute, for the purpose of carrying out the objects of the Institute and of the government and discipline of its members; and whereas the Institute desires to grant to its members the exclusive right to use certain designations and abbreviations thereof as set out in section 7; and whereas the Institute hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the Institute;

“registered” means registered as a member under this Act and
“registration” has a corresponding meaning;

“registrar” means the registrar of the Institute.

2.—(1) The corporation known as the Ontario Municipal Management Development Board is hereby continued as a corporation without share capital under the name of the Ontario Municipal Management Institute and the persons registered as members of the Institute on the day this Act comes into force and such other persons as hereafter become members of the Institute constitute the corporation.

Board
continued

(2) The members of the board of directors and the officers of the Institute in office immediately before the coming into

Continuation
of directors,
officers

force of this Act are hereby continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Institute.

Letters
patent
revoked

(3) The letters patent of the Institute are revoked, but the revocation does not affect the rights or obligations of the Institute or any by-law, resolution or appointment of the Institute except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act
incorporated

(4) The Institute shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Institute are,

- (a) to administer a professional development and recognition system for municipal management;
- (b) to organize and administer management training seminars;
- (c) to promote effective relationships with educational institutions to assure a basic understanding of local governments;
- (d) to prepare publications on municipal management topics;
- (e) to provide an information service concerning management policies in Ontario municipalities; and
- (f) to provide a data base on training, developmental and educational opportunities for those pursuing a career in municipal management.

Board of
directors

4.—(1) The affairs of the Institute shall be managed by a board of directors.

Composition

(2) The board shall consist of not fewer than ten or more than sixty members of the Institute, as the board may determine by by-law, elected from the membership of the Institute.

Past
president

(3) The immediate past president of the Institute shall be a member of the board.

Election of
board

(4) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes and the tenure

of office of members of the board shall be set out in the by-laws of the Institute.

(5) The directors shall serve without remuneration and no director shall directly or indirectly receive any profit from his or her position but the directors may be paid reasonable expenses incurred by them in the performance of their duties. No remuneration

(6) At any meeting of the board, a majority of the members of the board constitutes a quorum. Quorum

(7) The board shall appoint from its number a president and vice-president and shall appoint a secretary who need not be a member of the board. President, etc.

(8) The board may appoint such other persons as are necessary to perform the work of the Institute. Other appointments

(9) In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Institute for the balance of the term. Vacancies

(10) The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to the registrar by this Act and such other duties as may be assigned to the registrar by the board. Registrar

5.—(1) The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Institute and, without restricting the generality of the foregoing, the board may pass by-laws, By-laws

- (a) establishing the qualifications for and conditions of membership and certification;
- (b) establishing a curriculum and courses of study to be pursued by members and the subjects upon which members of the Institute shall be examined and for granting certificates to candidates who have successfully passed the examinations;
- (c) prescribing rules of behaviour for certified municipal managers and providing for the suspension, expulsion or other penalty for a contravention of the rules of behaviour;
- (d) prescribing fees payable to the Institute;

- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Institute;
- (f) authorizing the spending of funds for any purpose that may tend to advance the knowledge and education of persons in local governments in the Province of Ontario or improve standards of practice in municipal administration, or support and encourage public information and interest in the past and present role of municipal managers in society;
- (g) providing for the custody and use of the seal of the Institute;
- (h) providing for the manner in which records and the making of reports are maintained and kept for and by the Institute; and
- (i) appointing committees and delegating to a committee the power and authority to act for the board with respect to any matter or class of matters where a majority of the members of the committee are members of the board.

Confirmation
of by-law

(2) No by-law passed by the board comes into force until it is confirmed or amended and confirmed by at least two-thirds of the votes cast at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Borrowing
by-laws
R.S.O. 1980,
c. 95

(3) The borrowing power of the Institute under section 59 of the *Corporations Act* is limited to borrowing money for current operating expenses unless it borrows on the security of real or personal property.

Membership

6.—(1) The Institute shall grant a membership in the Institute to any person who applies therefor in accordance with the by-laws.

Register

(2) The registrar shall keep a register in which shall be entered the names of all members of the Institute and their status of certification and only those persons so registered are members entitled to the privileges of membership in the Institute.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Institute during normal office hours.

Appeals

(4) Any person who has been refused membership or certification or who has been subject to a disciplinary sanction

under the by-laws of the Institute may appeal to the Divisional Court, in accordance with the rules of the Court, from the refusal or from the sanction.

(5) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from.

Certified
copy of
record

7.—(1) Every member of the Institute who has satisfied the criteria as set out in the by-laws of the Institute may use the designation “Certified Municipal Manager”, “Certified Municipal Manager I”, “Certified Municipal Manager II” or “Certified Municipal Manager III”, as the case may be, and may use after the member’s name the initials “CMM”, “CMM I”, “CMM II” or “CMM III”, respectively.

Designations

(2) Any person in Ontario who, not being entitled to do so under subsection (1), takes or uses any designation or any set of initials referred to in subsection (1) either alone or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that he or she is a certified municipal manager is guilty of an offence.

Offence

(3) In every case where certification is an issue, the production of a copy of the register, certified under the hand of the registrar, is sufficient evidence of the certification status of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person’s capacity as registrar is proof, in the absence of evidence to the contrary, that such a person is the registrar without any proof of that person’s signature or that the person is the registrar.

Evidence

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not certified.

Idem

8. This Act does not affect or interfere with the right of any person who is not a member of the Institute to practice as a municipal officer or employee in the Province of Ontario.

Right to
practice
unaffected

9.—(1) The Institute shall be carried on without the purpose of gain for its members and any profits or other accretions to the Institute shall be used in promoting its objects.

Not to be
carried on
for gain

(2) Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely in

Surplus

promoting and carrying out its objects and purposes and shall not be divided among its members.

Dissolution

(3) Upon the dissolution of the Institute, all its remaining property, after the payment of all debts and liabilities, shall be distributed to one or more recognized charitable organizations which carry on their work solely in Ontario.

Filing of
annual
financial
statement

(4) The Institute shall file with the Public Trustee an annual audited financial statement.

Commence-
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Ontario Municipal Management Institute Act, 1988*.

Bill Pr28

An Act to revive Mid-Continent Bond Corporation, Limited

Mr. Ray
(Windsor-Walkerville)

1st Reading April 6th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr28

1988

**An Act to revive
Mid-Continent Bond Corporation, Limited**

Whereas Peter Kimber McWilliams hereby represents that
Mid-Continent Bond Corporation, Limited, herein called the
Corporation, was incorporated by letters patent dated the 7th
day of December, 1928; that by order-in-council dated the
13th day of December, 1951 and made under the authority of
subsection 29 (2) of *The Companies Act*, being chapter 59 of
the Revised Statutes of Ontario, 1950, the letters patent of the
Corporation were cancelled for default in filing annual returns
and the Corporation was dissolved on the 3rd day of January,
1952; that the applicant is the sole executor of the estate of
Marjorie Crawford McWilliams, deceased, a director and offi-
cer of the Corporation; that Marjorie Crawford McWilliams
was the sole executrix and sole beneficiary of her father, Wil-
liam Crawford Goffatt, deceased, who was also a director and
the sole shareholder of the Corporation at the time of dissolu-
tion; that the Corporation at the time of dissolution owned
certain interests in real property; that the applicant wishes to
revive the Corporation so that it may deal with the real prop-
erty; and whereas the applicant hereby applies for special leg-
islation reviving the Corporation; and whereas it is expedient
to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Mid-Continent Bond Corporation, Limited is hereby
revived and is, subject to any rights acquired by any person
after its dissolution, hereby restored to its legal position,
including all its property, rights, privileges and franchises and
subject to all its liabilities, contracts, disabilities and debts as
of the date of its dissolution in the same manner and to the
same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Mid-Continent Bond Corporation, Limited Act, 1988*.

Bill Pr28

*(Chapter Pr21
Statutes of Ontario, 1988)*

An Act to revive Mid-Continent Bond Corporation, Limited

Mr. Ray
(Windsor-Walkerville)

<i>1st Reading</i>	April 6th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr28**1988**

**An Act to revive
Mid-Continent Bond Corporation, Limited**

Whereas Peter Kimber McWilliams hereby represents that Preamble
Mid-Continent Bond Corporation, Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of December, 1928; that by order-in-council dated the 13th day of December, 1951 and made under the authority of subsection 29 (2) of *The Companies Act*, being chapter 59 of the Revised Statutes of Ontario, 1950, the letters patent of the Corporation were cancelled for default in filing annual returns and the Corporation was dissolved on the 3rd day of January, 1952; that the applicant is the sole executor of the estate of Marjorie Crawford McWilliams, deceased, a director and officer of the Corporation; that Marjorie Crawford McWilliams was the sole executrix and sole beneficiary of her father, William Crawford Goffatt, deceased, who was also a director and the sole shareholder of the Corporation at the time of dissolution; that the Corporation at the time of dissolution owned certain interests in real property; that the applicant wishes to revive the Corporation so that it may deal with the real property; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Mid-Continent Bond Corporation, Limited is hereby Corporation
revived
revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Mid-Continent Bond Corporation, Limited Act, 1988*.

Bill Pr29

An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church

Mr. Epp

1st Reading November 9th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr29

1987

**An Act respecting The United Church
of Canada and The Canada Conference
The Evangelical United Brethren Church**

Whereas The United Church of Canada was incorporated by *The United Church of Canada Act* (Canada) and was given certain powers respecting property and other rights by *The United Church of Canada Act*, being chapter 125 of the Statutes of Ontario, 1925; and whereas Canada Conference Evangelical Church was incorporated under *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930; and whereas by the Statutes of Ontario, 1950, chapter 93, the name of Canada Conference Evangelical Church was changed to The Canada Conference The Evangelical United Brethren Church; and whereas The Canada Conference The Evangelical United Brethren Church became part of The United Church of Canada on the 1st day of January, 1968 pursuant to the ecclesiastical laws of The Evangelical United Brethren Church as declared in the Episcopal Declaration of the Board of Bishops dated the 18th day of July, 1967; and whereas, by action of the 22nd General Council of The United Church of Canada in September, 1966, the plan of union between The Canada Conference The Evangelical United Brethren Church and The United Church of Canada was approved and the Executive of General Council was authorized to carry out the plan in co-operation with The Canada Conference The Evangelical United Brethren Church; and whereas The United Church of Canada and The Canada Conference The Evangelical United Brethren Church hereby apply for special legislation to transfer all present and future assets of The Canada Conference The Evangelical United Brethren Church to The United Church of Canada and to dissolve The Canada Conference The Evangelical United Brethren Church; and whereas it is expedient to grant the application;

Preamble
S.C. 1924,
c. 100

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Dissolution

1. The Canada Conference The Evangelical United Brethren Church is dissolved.

Transfer of property

2. All real and personal property within the Province of Ontario belonging to or held in trust for or for the use of The Canada Conference The Evangelical United Brethren Church or any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church is vested in The United Church of Canada.

Transfer of liabilities

3. All liabilities and contracts of The Canada Conference The Evangelical United Brethren Church are liabilities and contracts of The United Church of Canada.

Gifts, etc.

4. Any gift, devise or bequest heretofore or hereafter made to or intended to be made to The Canada Conference The Evangelical United Brethren Church, or to any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, functioning under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church or Canada Conference Evangelical Church shall be paid, transferred and vested in The United Church of Canada and shall be the property of The United Church of Canada.

Private instruments

5. A reference to The Canada Conference The Evangelical United Brethren Church in any instrument shall be deemed to be a reference to The United Church of Canada.

Repeal

6. *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930, and *The Canada Conference The Evangelical United Brethren Church Act, 1950*, being chapter 93, are repealed.

Commencement

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is *The United Church of Canada Act, 1987*.

Bill Pr29

*(Chapter Pr22
Statutes of Ontario, 1988)*

An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church

Mr. Epp

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr29

1987

**An Act respecting The United Church
of Canada and The Canada Conference
The Evangelical United Brethren Church**

Whereas The United Church of Canada was incorporated by *The United Church of Canada Act* (Canada) and was given certain powers respecting property and other rights by *The United Church of Canada Act*, being chapter 125 of the Statutes of Ontario, 1925; and whereas Canada Conference Evangelical Church was incorporated under *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930; and whereas by the Statutes of Ontario, 1950, chapter 93, the name of Canada Conference Evangelical Church was changed to The Canada Conference The Evangelical United Brethren Church; and whereas The Canada Conference The Evangelical United Brethren Church became part of The United Church of Canada on the 1st day of January, 1968 pursuant to the ecclesiastical laws of The Evangelical United Brethren Church as declared in the Episcopal Declaration of the Board of Bishops dated the 18th day of July, 1967; and whereas, by action of the 22nd General Council of The United Church of Canada in September, 1966, the plan of union between The Canada Conference The Evangelical United Brethren Church and The United Church of Canada was approved and the Executive of General Council was authorized to carry out the plan in co-operation with The Canada Conference The Evangelical United Brethren Church; and whereas The United Church of Canada and The Canada Conference The Evangelical United Brethren Church hereby apply for special legislation to transfer all present and future assets of The Canada Conference The Evangelical United Brethren Church to The United Church of Canada and to dissolve The Canada Conference The Evangelical United Brethren Church; and whereas it is expedient to grant the application;

Preamble
S.C. 1924,
c. 100

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Dissolution

1. The Canada Conference The Evangelical United Brethren Church is dissolved.

Transfer of property

2. All real and personal property within the Province of Ontario belonging to or held in trust for or for the use of The Canada Conference The Evangelical United Brethren Church or any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, created by or under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church is vested in The United Church of Canada.

Transfer of liabilities

3. All liabilities and contracts of The Canada Conference The Evangelical United Brethren Church are liabilities and contracts of The United Church of Canada.

Gifts, etc.

4. Any gift, devise or bequest heretofore or hereafter made to or intended to be made to The Canada Conference The Evangelical United Brethren Church, or to any congregation, corporation, board, committee or other body, whether incorporated or unincorporated, functioning under the government or control of, or in connection with, The Canada Conference The Evangelical United Brethren Church or Canada Conference Evangelical Church shall be paid, transferred and vested in The United Church of Canada and shall be the property of The United Church of Canada.

Private instruments

5. A reference to The Canada Conference The Evangelical United Brethren Church in any instrument shall be deemed to be a reference to The United Church of Canada.

Repeal

6. *An Act to incorporate the Canada Conference Evangelical Church*, being chapter 112 of the Statutes of Ontario, 1930, and *The Canada Conference The Evangelical United Brethren Church Act, 1950*, being chapter 93, are repealed.

Commencement

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is *The United Church of Canada Act, 1988*.

Bill Pr30

An Act respecting The General Hospital of Port Arthur

Mr. Kozyra

1st Reading December 3rd, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr30

1987

**An Act respecting
The General Hospital of Port Arthur**

Whereas The General Hospital of Port Arthur hereby represents that it is recited in the earliest records of the hospital corporation that The Railway, Marine and General Hospital of Port Arthur was incorporated under *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, on the 18th day of February, 1907; that one of the requirements for incorporation under such Act is the filing of a declaration either with the Provincial Registrar or the Clerk of the Peace in the county where the hospital corporation is to hold its annual and general meetings; that no copy of the declaration can be found nor any record of the filing located; that the name of the hospital corporation was changed to The General Hospital of Port Arthur by order of the Provincial Secretary on the 19th day of February, 1918; that it is desirable to confirm the corporate existence of The General Hospital of Port Arthur as of the 18th day of February, 1907; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "hospital corporation" means The General Hospital of Port Arthur.

Definition

2. The hospital corporation shall be deemed to have been validly incorporated without share capital under the laws of the Province of Ontario on the 18th day of February, 1907.

Corporate
status
confirmed

3. The objects of the hospital corporation are and shall be deemed to have always been,

Objects
confirmed

(a) to operate, maintain and manage a hospital; and

R.S.O. 1980,
c.410

- (b) subject to the *Public Hospitals Act*, to manage all the real and personal property used for the purposes of the hospital corporation.

Corporate
acts
confirmed

4. No act done by the hospital corporation shall be set aside or invalidated on the grounds that its incorporation cannot be proven and, in particular, the following are hereby ratified and confirmed, namely,

- (a) the constitution of the board of directors of the hospital corporation;
- (b) the by-laws and resolutions of the hospital corporation; and
- (c) the location of the head office of the hospital corporation at the City of Thunder Bay.

Property

5. The hospital corporation may receive by grant, gift, devise or otherwise, any real or personal property for the purposes of the hospital corporation.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *General Hospital of Port Arthur Act, 1987*.

Bill Pr30

*(Chapter Pr23
Statutes of Ontario, 1988)*

An Act respecting The General Hospital of Port Arthur

Mr. Kozyra

<i>1st Reading</i>	December 3rd, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr30

1987

**An Act respecting
The General Hospital of Port Arthur**

Whereas The General Hospital of Port Arthur hereby represents that it is recited in the earliest records of the hospital corporation that The Railway, Marine and General Hospital of Port Arthur was incorporated under *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, on the 18th day of February, 1907; that one of the requirements for incorporation under such Act is the filing of a declaration either with the Provincial Registrar or the Clerk of the Peace in the county where the hospital corporation is to hold its annual and general meetings; that no copy of the declaration can be found nor any record of the filing located; that the name of the hospital corporation was changed to The General Hospital of Port Arthur by order of the Provincial Secretary on the 19th day of February, 1918; that it is desirable to confirm the corporate existence of The General Hospital of Port Arthur as of the 18th day of February, 1907; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "hospital corporation" means The General Hospital of Port Arthur.

Definition

2. The hospital corporation shall be deemed to have been validly incorporated without share capital under the laws of the Province of Ontario on the 18th day of February, 1907.

Corporate
status
confirmed

3. The objects of the hospital corporation are and shall be deemed to have always been,

Objects
confirmed

(a) to operate, maintain and manage a hospital; and

R.S.O. 1980,
c.410

- (b) subject to the *Public Hospitals Act*, to manage all the real and personal property used for the purposes of the hospital corporation.

Corporate
acts
confirmed

4. No act done by the hospital corporation shall be set aside or invalidated on the grounds that its incorporation cannot be proven and, in particular, the following are hereby ratified and confirmed, namely,

- (a) the constitution of the board of directors of the hospital corporation;
- (b) the by-laws and resolutions of the hospital corporation; and
- (c) the location of the head office of the hospital corporation at the City of Thunder Bay.

Property

5. The hospital corporation may receive by grant, gift, devise or otherwise, any real or personal property for the purposes of the hospital corporation.

Commence-
ment

6. This Act comes into force on the day it receives Royal Assent.

Short title

7. The short title of this Act is the *General Hospital of Port Arthur Act, 1988*.

Bill Pr31

An Act respecting the City of North York

Mr. Polsinelli

1st Reading April 26th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

SECTION 1. Clause 2 (a) would enable the council of The Corporation of the City of North York to make by-laws requiring the owners of multiple residential premises or the owners or occupants of business premises to remove garbage from the non-travelled portions of a public highway abutting their lands.

Clause 2 (b) would enable the council of the Corporation to make by-laws requiring the owners or occupants of private property to cut and remove grass and weeds when they exceed 20 centimetres in height or such greater height as the by-law may provide.

SECTION 2. This section would enable the council of the Corporation to make by-laws prohibiting overnight parking on all streets under the Corporation's jurisdiction from the 1st day of December to the 31st day of March. The section would require such signs advising of the prohibition as the council considers appropriate.

SECTION 3. Section 215 of the *Municipal Act* authorizes the passing of by-laws, with the approval of the Ontario Municipal Board, to impose special charges for buildings that impose or may impose a heavy load on the sewer or water system. Buildings on land subject to a subdivision agreement are wholly exempt from such charges under paragraph 2 of subsection 215 (6). Section 3 of the Bill would permit such by-laws to limit the exemption to the extent to which the load to be placed upon these systems by the building does not exceed the load the systems were designed to accept from the building site.

Bill Pr31**1988****An Act respecting the City of North York**

Whereas The Corporation of the City of North York, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“business premises” means any building or part thereof used or intended for use for commercial or industrial purposes;

“multiple residential premises” means any building containing more than one dwelling unit.

(2) The council of the Corporation may pass by-laws,

By-laws respecting garbage removal, grass and weed cutting

(a) for requiring the owners of multiple residential premises and the owners or occupants of business premises in the municipality to clear away and remove garbage or other debris from the public highways abutting their lands except the portions thereof used for motor vehicle traffic; and

(b) for requiring the owners or occupants of private property in the municipality or in any defined area thereof to cut the grass and weeds on their land and to remove the cuttings whenever the growth of grass or weeds exceeds twenty centimetres in height or such greater height as the by-law may provide.

(3) No step shall be taken to enforce a by-law passed under subsection (2) until the owner or occupant of the land has been given a written notice requiring compliance with the by-law within the time specified in the notice but no sooner than seventy-two hours after the giving of the notice.

Written notice

Service of
notice

(4) A notice under subsection (3) may be given by personal service upon the person to whom it is directed or by sending it by certified mail to such person.

Idem

(5) A notice under subsection (3) sent by certified mail shall be sent to the last known address of the person to whom it is directed and it shall be deemed to have been given on the day it is delivered to that address.

Limitations

(6) Nothing in this section affects any right or duty of the Corporation with respect to any highway right of way.

By-laws
respecting
overnight
parking

2.—(1) The council of the Corporation may pass by-laws for prohibiting the parking of motor vehicles on all public highways within the jurisdiction of the Corporation at any time between the hours of 2 o'clock in the forenoon and 6 o'clock in the forenoon from the 1st day of December of each year up to and including the 31st day of March of the next year.

Parking signs

(2) A by-law passed under subsection (1) shall provide for the erection and maintenance of such signs advising of the prohibition as the council considers appropriate.

Charges for
heavy loads
on sewer,
water systems
R.S.O. 1980,
c. 302

3. Despite paragraph 2 of subsection 215 (6) of the *Municipal Act*, the council may by by-law provide that the exemption under the said paragraph 2 shall be limited to the extent that the load to be placed upon the sewer or water system by a building to be erected or enlarged does not exceed the load which the sewer or water system installed under subdivision agreement was designed to accept from the land upon which the building is located.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of North York Act, 1988*.

Bill Pr31

An Act respecting the City of North York

Mr. Polsinelli

1st Reading April 26th, 1988
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTES

SECTION 1. Clause (2) (a) would enable the council of The Corporation of the City of North York to make by-laws requiring the owners of multiple residential premises or the owners or occupants of business premises to remove garbage from the non-travelled portions of a public highway abutting their lands.

Clause (2) (b) would enable the council of the Corporation to make by-laws requiring the owners or occupants of private property to cut and remove grass and weeds when they exceed 20 centimetres in height or such greater height as the by-law may provide.

Clause (2) (c) would permit the council to cut grass and weeds and remove them from private property owned or occupied by any class of persons, at the expense of the municipality.

SECTION 2. This section would enable the council of the Corporation to make by-laws prohibiting overnight parking on all streets under the Corporation's jurisdiction from the 1st day of December to the 31st day of March. The section would require such signs advising of the prohibition as the council considers appropriate.

SECTION 3. Section 215 of the *Municipal Act* authorizes the passing of by-laws, with the approval of the Ontario Municipal Board, to impose special charges for buildings that impose or may impose a heavy load on the sewer or water system. Buildings on land subject to a subdivision agreement are wholly exempt from such charges under paragraph 2 of subsection 215 (6). Section 3 of the Bill would permit such by-laws to limit the exemption to the extent to which the load to be placed upon these systems by the building does not exceed the load the systems were designed to accept from the building site.

Bill Pr31

1988

An Act respecting the City of North York

Whereas The Corporation of the City of North York, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) In this section,

Definitions

“business premises” means any building or part thereof used
or intended for use for commercial or industrial purposes;

“multiple residential premises” means any building containing
more than one dwelling unit.

(2) The council of the Corporation may pass by-laws,

By-laws
respecting
garbage
removal,
grass and
weed cutting

(a) for requiring the owners of multiple residential
premises and the owners or occupants of business
premises in the municipality to clear away and
remove garbage or other debris from the public
highways abutting their lands except the portions
thereof used for motor vehicle traffic;

(b) for requiring the owners or occupants of private
property in the municipality or in any defined area
thereof to cut the grass and weeds on their land and
to remove the cuttings whenever the growth of grass
or weeds exceeds twenty centimetres in height or
such greater height as the by-law may provide; and

➡ (c) despite clause (b), for providing for the cutting of
grass and weeds and for the removal thereof at the
expense of the municipality on private property
owned or occupied by any class or classes of
persons. ⬆

Written
notice

(3) No step shall be taken to enforce a by-law passed under subsection (2) until the owner or occupant of the land has been given a written notice requiring compliance with the by-law within the time specified in the notice but no sooner than seventy-two hours after the giving of the notice.

Service of
notice

(4) A notice under subsection (3) may be given by personal service upon the person to whom it is directed or by sending it by certified mail to such person.

Idem

(5) A notice under subsection (3) sent by certified mail shall be sent to the last known address of the person to whom it is directed and it shall be deemed to have been given on the day it is delivered to that address.

Limitations

(6) Nothing in this section affects any right or duty of the Corporation with respect to any highway right of way.

By-laws
respecting
overnight
parking

2.—(1) The council of the Corporation may pass by-laws for prohibiting the parking of motor vehicles on all public highways within the jurisdiction of the Corporation at any time between the hours of 2 o'clock in the forenoon and 6 o'clock in the forenoon from the 1st day of December of each year up to and including the 31st day of March of the next year.

Parking signs

(2) A by-law passed under subsection (1) shall provide for the erection and maintenance of such signs advising of the prohibition as the council considers appropriate.

Charges for
heavy loads
on sewer,
water systems
R.S.O. 1980,
c. 302

3. Despite paragraph 2 of subsection 215 (6) of the *Municipal Act*, the council may by by-law provide that the exemption under the said paragraph 2 shall be limited to the extent that the load to be placed upon the sewer or water system by a building to be erected or enlarged does not exceed the load which the sewer or water system installed under subdivision agreement was designed to accept from the land upon which the building is located.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of North York Act, 1988*.

Bill Pr31

*(Chapter Pr24
Statutes of Ontario, 1988)*

An Act respecting the City of North York

Mr. Polsinelli

<i>1st Reading</i>	April 26th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr31

1988

An Act respecting the City of North York

Whereas The Corporation of the City of North York, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section,

Definitions

“business premises” means any building or part thereof used or intended for use for commercial or industrial purposes;

“multiple residential premises” means any building containing more than one dwelling unit.

(2) The council of the Corporation may pass by-laws,

By-laws
respecting
garbage
removal,
grass and
weed cutting

- (a) requiring the owners of multiple residential premises and the owners or occupants of business premises in the municipality to clear away and remove garbage or other debris from the public highways abutting their lands except the portions thereof used for motor vehicle traffic;
- (b) requiring the owners or occupants of private property in the municipality or in any defined area thereof to cut the grass and weeds on their land and to remove the cuttings whenever the growth of grass or weeds exceeds twenty centimetres in height or such greater height as the by-law may provide; and
- (c) despite clause (b), providing for the cutting of grass and weeds and for the removal thereof at the expense of the municipality on private property owned or occupied by any class or classes of persons.

Written
notice

(3) No step shall be taken to enforce a by-law passed under subsection (2) until the owner or occupant of the land has been given a written notice requiring compliance with the by-law within the time specified in the notice but no sooner than seventy-two hours after the giving of the notice.

Service of
notice

(4) A notice under subsection (3) may be given by personal service upon the person to whom it is directed or by sending it by certified mail to such person.

Idem

(5) A notice under subsection (3) sent by certified mail shall be sent to the last known address of the person to whom it is directed and it shall be deemed to have been given on the day it is delivered to that address.

Limitations

(6) Nothing in this section affects any right or duty of the Corporation with respect to any highway right of way.

By-laws
respecting
overnight
parking

2.—(1) The council of the Corporation may pass by-laws for prohibiting the parking of motor vehicles on all public highways within the jurisdiction of the Corporation at any time between the hours of 2 o'clock in the forenoon and 6 o'clock in the forenoon from the 1st day of December of each year up to and including the 31st day of March of the next year.

Parking signs

(2) A by-law passed under subsection (1) shall provide for the erection and maintenance of such signs advising of the prohibition as the council considers appropriate.

Charges for
heavy loads
on sewer,
water systems
R.S.O. 1980,
c. 302

3. Despite paragraph 2 of subsection 215 (6) of the *Municipal Act*, the council may by by-law provide that the exemption under the said paragraph 2 shall be limited to the extent that the load to be placed upon the sewer or water system by a building to be erected or enlarged does not exceed the load which the sewer or water system installed under subdivision agreement was designed to accept from the land upon which the building is located.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of North York Act, 1988*.

Bill Pr32

An Act to revive LaPlante Lithographing Company Limited

Mr. Velshi

<i>1st Reading</i>	November 9th, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr32

1988

**An Act to revive
LaPlante Lithographing Company Limited**

Whereas Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante hereby represent that LaPlante Lithographing Company Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of November, 1949; that the Minister of Consumer and Commercial Relations by order dated the 20th day of December, 1982, and made under the authority of section 242 of the *Business Corporations Act*, being chapter 54 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 20th day of December, 1982; that Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante were all the directors and the holders of the common shares of the Corporation at the time of its dissolution; that the Corporation at the time of dissolution was inactive but that it is desirable to revive the Corporation so that it is able to preserve and pursue its interests in any assets it may have; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. LaPlante Lithographing Company Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is *LaPlante Lithographing Company Limited Act, 1988*.

Bill Pr32

*(Chapter Pr50
Statutes of Ontario, 1988)*

An Act to revive LaPlante Lithographing Company Limited

Mr. Velshi

<i>1st Reading</i>	November 9th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr32

1988

**An Act to revive
LaPlante Lithographing Company Limited**

Whereas Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante hereby represent that LaPlante Lithographing Company Limited, herein called the Corporation, was incorporated by letters patent dated the 7th day of November, 1949; that the Minister of Consumer and Commercial Relations by order dated the 20th day of December, 1982, and made under the authority of section 242 of the *Business Corporations Act*, being chapter 54 of the Revised Statutes of Ontario, 1980, cancelled the certificate of incorporation for default in complying with the *Corporations Tax Act* and declared the Corporation to be dissolved on the 20th day of December, 1982; that Harry Francis LaPlante, Harry Warner LaPlante and Barbara LaPlante were all the directors and the holders of the common shares of the Corporation at the time of its dissolution; that the Corporation at the time of dissolution was inactive but that it is desirable to revive the Corporation so that it is able to preserve and pursue its interests in any assets it may have; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. LaPlante Lithographing Company Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is *LaPlante Lithographing Company Limited Act, 1988*.

Bill Pr33

An Act to revive The Vic Johnston Community Centre Inc.

Mr. Offer

1st Reading May 26th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr33

1988

**An Act to revive
The Vic Johnston Community Centre Inc.**

Whereas Ross Edward Irwin and George Bentley hereby represent that The Vic Johnston Community Centre Inc., herein called the Corporation, was incorporated by letters patent dated the 14th day of July, 1961; that the Minister of Consumer and Commercial Relations, by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are directors of the on-going organization carried on in its name; that notice of default was apparently sent to the Corporation at its address shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the social and other functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Vic Johnston Community Centre Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Vic Johnston Community Centre Inc. Act, 1988*.

Bill Pr33

*(Chapter Pr34
Statutes of Ontario, 1988)*

An Act to revive The Vic Johnston Community Centre Inc.

Mr. Offer

<i>1st Reading</i>	May 26th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr33

1988

**An Act to revive
The Vic Johnston Community Centre Inc.**

Whereas Ross Edward Irwin and George Bentley hereby represent that The Vic Johnston Community Centre Inc., herein called the Corporation, was incorporated by letters patent dated the 14th day of July, 1961; that the Minister of Consumer and Commercial Relations, by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are directors of the on-going organization carried on in its name; that notice of default was apparently sent to the Corporation at its address shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that none of the applicants were aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of the dissolution was carrying on the social and other functions authorized by its letters patent and since that time these functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Vic Johnston Community Centre Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Vic Johnston Community Centre Inc. Act, 1988*.

Bill Pr34

An Act to revive Machin Mines Limited

Mr. Kanter

1st Reading February 9th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr34

1988

An Act to revive Machin Mines Limited

Whereas John P. Rapski hereby represents that Machin Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 31st day of July, 1961; that the Minister of Consumer and Commercial Relations by order dated the 6th day of March, 1979 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act, 1972*, being chapter 143, and declared that the Corporation be dissolved on the 6th day of March, 1979; that the applicant represents a former director of the Corporation; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Machin Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Machin Mines Limited Act, 1988*.

Short title

Bill Pr34

An Act to revive Machin Mines Limited

Mr. Kanter

1st Reading February 9th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr34

1988

An Act to revive Machin Mines Limited

Whereas John P. Rapski hereby represents that Machin Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 31st day of July, 1961; that the Minister of Consumer and Commercial Relations by order dated the 6th day of March, 1979 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act*, 1972, being chapter 143, and declared that the Corporation be dissolved on the 6th day of March, 1979; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Machin Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Machin Mines Limited Act, 1988*.

Short title

Bill Pr34

*(Chapter Pr25
Statutes of Ontario, 1988)*

An Act to revive Machin Mines Limited

Mr. Kanter

<i>1st Reading</i>	February 9th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr34

1988

An Act to revive Machin Mines Limited

Whereas John P. Rapski hereby represents that Machin Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 31st day of July, 1961; that the Minister of Consumer and Commercial Relations by order dated the 6th day of March, 1979 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act, 1972*, being chapter 143, and declared that the Corporation be dissolved on the 6th day of March, 1979; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Machin Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Machin Mines Limited Act, 1988*.

Short title

Bill Pr35

An Act to revive Primrock Mining and Exploration Limited

Mr. Henderson

1st Reading May 12th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr35

1988

An Act to revive Primrock Mining and Exploration Limited

Whereas Daniel Gallo and Lorne McCarthy hereby represent that Primrock Mining and Exploration Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of March, 1965; that the Minister of Consumer and Commercial Relations by order dated the 15th day of March, 1975 cancelled the certificate of incorporation of the Corporation for default in complying with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970 and declared the Corporation to be dissolved on the 16th day of March, 1976; that the illness and ultimate death of both of the major shareholders of the Corporation prevented the timely filing of articles of revival; that each of the applicants is a relative of one of the deceased shareholders and represents the estate of that deceased shareholder; that active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Primrock Mining and Exploration Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Primrock Mining and Exploration Limited Act, 1988*.

Short title



Bill Pr35

An Act to revive Primrock Mining and Exploration Limited

Mr. Henderson

1st Reading May 12th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr35

1988

**An Act to revive
Primrock Mining and Exploration Limited**

Whereas Daniel Gallo and Lorne McCarthy hereby represent that Primrock Mining and Exploration Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of March, 1965; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 cancelled the certificate of incorporation of the Corporation for default in complying with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970 and declared the Corporation to be dissolved on the 16th day of March, 1976; that the illness and ultimate death of both of the major shareholders of the Corporation prevented the timely filing of articles of revival; that each of the applicants is a relative of one of the deceased shareholders and represents the estate of that deceased shareholder; that active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Primrock Mining and Exploration Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Primrock Mining and Exploration Limited Act, 1988*.

Short title

Bill Pr35

*(Chapter Pr35
Statutes of Ontario, 1988)*

An Act to revive Primrock Mining and Exploration Limited

Mr. Henderson

<i>1st Reading</i>	May 12th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr35

1988

**An Act to revive
Primrock Mining and Exploration Limited**

Whereas Daniel Gallo and Lorne McCarthy hereby represent that Primrock Mining and Exploration Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of March, 1965; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 cancelled the certificate of incorporation of the Corporation for default in complying with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970 and declared the Corporation to be dissolved on the 16th day of March, 1976; that the illness and ultimate death of both of the major shareholders of the Corporation prevented the timely filing of articles of revival; that each of the applicants is a relative of one of the deceased shareholders and represents the estate of that deceased shareholder; that active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Primrock Mining and Exploration Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Primrock Mining and Exploration Limited Act, 1988*.

Short title



Bill Pr36

**An Act respecting
Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

Mr. Poirier

1st Reading January 11th, 1989
2nd Reading
3rd Reading
Royal Assent

Projet de loi Pr36

**Loi concernant
l'Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

M. Poirier

1^{re} lecture 11 janvier 1989
2^e lecture
3^e lecture
sanction royale

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

NOTE EXPLICATIVE

L'objet du projet de loi est énoncé dans le préambule.

Bill Pr36**1989****An Act respecting Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario**

Preamble

Whereas Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, herein called the Association, hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 2nd day of March, 1921; that supplementary letters patent dated the 10th day of September, 1962 changed the name of the Association to that set out herein; and whereas the Association wishes to continue as a corporation for the purpose of carrying out the objects of the Association and governing and disciplining its members; and whereas the Association considers it desirable to grant to members of the Association the exclusive right to use certain designations as set out in section 8; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definition

1. In this Act, “council” means the council of the Association. (“conseil”)

Corporation
continued

2.—(1) The Association is continued as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and other persons who become members of the Association constitute the corporation.

Continuation
of present
council

(2) The members of the council and the officers of the Association in office immediately before the coming into force of this Act are continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Association.

Projet de loi Pr36**1989****Loi concernant l'Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario**

Attendu que l'Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, ci-après dénommée l'Association, déclare par la présente avoir été constituée en vertu des lois de l'Ontario par lettres patentes en date du 2 mars 1921 et avoir adopté le nom ci-dessus par lettres patentes supplémentaires en date du 10 septembre 1962; et attendu que l'Association souhaite son maintien comme personne morale pour accomplir ses objectifs, gouverner ses membres et faire régner la discipline dans ses rangs; et attendu que l'Association souhaite réserver à ses membres le droit exclusif d'utiliser certaines désignations énoncées à l'article 8; et attendu que l'Association demande par la présente qu'une loi spéciale soit adoptée à ces fins; et attendu qu'il y a lieu d'accéder à cette demande; Préambule

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Dans la présente loi, «conseil» s'entend du conseil de l'Association. («council») Définition

2 (1) L'Association est maintenue comme personne morale sans capital-actions. Les personnes inscrites comme membres de l'Association le jour où la présente loi entre en vigueur et celles qui deviennent membres à une date ultérieure constituent la personne morale. Maintien de l'Association

(2) Les membres du conseil et les dirigeants de l'Association en fonction immédiatement avant l'entrée en vigueur de la présente loi sont maintenus dans leurs fonctions jusqu'à ce que leurs successeurs soient élus ou nommés conformément à la présente loi et au règlement intérieur de l'Association. Maintien du conseil

Letters
patent
revoked

(3) The letters patent of the Association are revoked, but the revocation does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act,
corporation

(4) The Association shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Association are,

- (a) to provide a collective voice for its members;
- (b) to promote the professional development of its members;
- (c) to ensure that members exercise high standards of ethical conduct;
- (d) to publicize the role performed by its members in society;
- (e) to establish standards of competency and certification examinations and to monitor the quality of the professional services rendered by its members;
- (f) to examine any complaints received that pertain to the competence or professional conduct of a member;
- (g) to support and protect the collective status, dignity and integrity of professional translators and interpreters;
- (h) to provide its members with services designed to meet their professional needs; and
- (i) to maintain amicable and professional relations with similar organizations inside and outside Canada.

Council

4.—(1) The affairs of the Association shall be managed by a council.

Composition
of council

(2) The council shall consist of not fewer than four or more than twenty-five persons, as the council may determine by by-law, elected from the membership of the Association.

Election of
board
members

(3) The manner of electing the members of the council, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers

(3) Les lettres patentes de l'Association sont révoquées. Cette révocation n'a aucune incidence sur les droits ou obligations de l'Association, ni sur les règlements, résolutions ou nominations de l'Association, sauf dans la mesure où ils sont incompatibles avec la présente loi.

Révocation
des lettres
patentes

(4) L'Association est réputée une personne morale constituée par loi spéciale.

Loi spéciale,
personne
morale

3 Les objectifs de l'Association sont les suivants :

Objectifs

- a) donner à ses membres une voix collective;
- b) promouvoir le perfectionnement professionnel de ses membres;
- c) veiller à ce que ses membres respectent des normes élevées de déontologie;
- d) faire connaître le rôle de ses membres dans la société;
- e) établir des critères de compétence, mettre sur pied des examens d'agrément et surveiller la qualité des services professionnels fournis par ses membres;
- f) examiner les plaintes reçues au sujet de la compétence ou du comportement professionnel d'un membre;
- g) promouvoir et protéger la situation, la dignité et l'intégrité collectives des traducteurs et interprètes professionnels;
- h) fournir à ses membres des services destinés à pourvoir à leurs besoins professionnels;
- i) entretenir des rapports amicaux et professionnels avec des organismes similaires au Canada et à l'étranger.

4 (1) Le conseil gère les affaires de l'Association.

Conseil

(2) Le conseil se compose de quatre personnes au moins et de vingt-cinq personnes au plus élues parmi les membres de l'Association, selon ce que le conseil fixe par règlement.

Composition
du conseil

(3) Le règlement intérieur de l'Association précise les modalités relatives à l'élection des membres du conseil, et notamment le mode de scrutin, le préavis aux électeurs de la date, de l'heure et du lieu des élections, les mises en candida-

Élection des
membres du
conseil

at elections, the taking and counting of votes, the term of office of members of the council and other necessary details shall be set out in the by-laws of the Association.

- Quorum (4) At any meeting of the council, two-fifths of the members of the council constitute a quorum.
- Officers (5) The council shall elect or appoint such officers as are prescribed by the by-laws.
- Other appointments (6) The council may appoint such other persons as are necessary to perform the work of the Association.
- Vacancies (7) In the case of the death, resignation or incapacity of any member of the council, the office shall be declared vacant by the council and the council shall fill the vacancy in such manner as may be provided by the by-laws of the Association for the balance of the term.
- Proxies **5.** At any annual, general or special meeting, members of the Association may be represented and vote by proxy but,
- (a) no proxy shall be exercised by a person who is not a member of the Association; and
 - (b) the proxy shall be exercised in accordance with the by-laws.
- By-laws **6.—(1)** The council may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, the council may pass by-laws,
- (a) establishing the qualifications for and conditions of registration for members;
 - (b) prescribing a curriculum and any courses of study to be pursued by students in order to satisfy the certification requirements;
 - (c) establishing and prescribing such classes of membership, the qualifications for admission thereto, and the privileges and limitations thereof as are necessary and in the public interest;
 - (d) regulating and governing the conduct of members of the Association in the practice of their business, vocation or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;

ture, les directeurs de scrutin, la collecte et le dépouillement des votes et la durée du mandat des membres du conseil.

(4) À toute réunion du conseil, les deux cinquièmes des membres du conseil constituent le quorum. Quorum

(5) Le conseil élit ou nomme les dirigeants que prescrit le règlement intérieur. Dirigeants

(6) Le conseil peut nommer les autres personnes nécessaires à l'accomplissement des tâches de l'Association. Autres nominations

(7) En cas de décès, de démission ou d'incapacité d'un membre du conseil, le conseil déclare le poste vacant et comble cette vacance jusqu'à expiration du mandat de la manière que prévoit le règlement intérieur de l'Association. Vacances

5 Les membres de l'Association peuvent se faire représenter aux assemblées annuelles, générales et extraordinaires et y voter par procuration, sous réserve des conditions suivantes : Procurations

- a) nul autre qu'un membre de l'Association ne doit se servir d'une procuration;
- b) la procuration doit être utilisée conformément au règlement intérieur.

6 (1) Le conseil peut adopter des règlements régissant toutes les questions nécessaires à la conduite des affaires de l'Association et à l'accomplissement de ses objectifs, et notamment : Règlements

- a) fixer les qualifications requises pour l'inscription des membres et les modalités de leur inscription;
- b) prescrire le programme d'études ou les cours que doivent suivre les étudiants pour satisfaire aux critères d'agrément;
- c) créer et prescrire les catégories de membres, les qualifications requises pour l'admission à ces catégories et les privilèges et restrictions qui se rattachent à chacune d'elles, selon ce qui est nécessaire et conforme à l'intérêt public;
- d) prescrire un code de déontologie, des règles de conduite professionnelle et des normes de pratique afin de réglementer la conduite des membres de l'Association dans l'exploitation de leur entreprise, dans la poursuite de leur vocation ou dans l'exercice de leur profession;

- (e) providing for the receipt and consideration of complaints made to the Association concerning the conduct of its members in the practice of their business or profession;
- (f) providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence, or failure or refusal to pay any required fee, including the establishment of a discipline committee and procedures therefor;
- (g) prescribing fees payable to the Association;
- (h) governing the calling, holding and conducting of meetings of the council and of the members of the Association;
- (i) providing for an executive committee to have all or such portion of the authority of the council between meetings of the council as may be prescribed therein;
- (j) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations and for contributions from the funds of the Association;
- (k) authorizing the spending of funds and making of grants for the promotion of its objects;
- (l) providing for the establishment of defined geographical districts within which the members resident or employed therein shall be entitled to elect a member to serve on the council;
- (m) governing the acquisition, management and disposal of the property of the Association and the conduct of its affairs;
- (n) providing for the appointment, removal, functions, duties and remuneration of agents and employees of the Association;
- (o) establishing such committees as the council considers necessary to carry out the business of the Association; and

- e) prévoir l'accueil et l'examen de plaintes adressées à l'Association relativement à la conduite de ses membres dans l'exploitation de leur entreprise ou l'exercice de leur profession;
- f) prévoir la suspension, l'expulsion ou toute autre pénalité pour cause de manquement professionnel, d'incapacité ou d'incompétence ou en cas de défaut ou de refus d'acquitter tout droit requis, ainsi que la création d'un comité de discipline et l'adoption de procédures à cet effet;
- g) prescrire les droits payables à l'Association;
- h) régir la convocation, la tenue et la conduite des réunions du conseil et des assemblées des membres de l'Association;
- i) prévoir un bureau et attribuer à celui-ci tout ou partie des pouvoirs du conseil entre deux réunions de ce dernier, selon ce que prescrivent les règlements;
- j) créer et gérer un fonds de bienfaisance au profit de tout membre de l'Association ou, dans le cas d'un membre décédé, au profit de sa famille, si ceux-ci ont besoin d'une aide financière et, à cette fin, prévoir la collecte de contributions ou de dons et l'apport de fonds de l'Association;
- k) autoriser la dépense de fonds et l'octroi de subventions pour la promotion de ses objectifs;
- l) prévoir la délimitation de secteurs géographiques et accorder aux membres qui résident ou travaillent dans ces secteurs le droit d'élire un représentant au conseil;
- m) régir l'acquisition, la gestion et l'aliénation des biens de l'Association et la conduite des affaires de celle-ci;
- n) prévoir la nomination, la destitution, les fonctions, les responsabilités et la rémunération des représentants et employés de l'Association;
- o) créer les comités que le conseil estime nécessaires pour mener à bien les affaires de l'Association;

- (p) providing for the protection and indemnity of directors, officers and officials acting for the benefit of and on behalf of the Association.

Confirmation
of by-laws

(2) No by-law passed by the council comes into force until it is confirmed or amended and confirmed by the general membership at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Membership

7.—(1) The Association shall grant a membership in the Association to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (c) has passed such examinations as the council may set or approve in accordance with the by-laws.

Register

(2) The Association shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Appeals

(4) An individual who is qualified for membership in the Association and who has been refused membership or an individual who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court, in accordance with the rules of court, from the refusal to grant membership or from the sanction.

Records

(5) Where a person appeals to the Divisional Court, the Association shall forthwith file in the Court a record of the proceeding that resulted in failure or a refusal to grant membership or the decision of the committee imposing a sanction which, together with any transcript of evidence, if there is one, shall constitute the record in the appeal.

Powers of
court

(6) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind any decision, may exercise all powers of any committee and may direct the Association to take any action that the Association is empowered to take as the court considers proper and, for such purposes, the court may substitute its opinion for that

- p) prévoir la protection et l'indemnité des administrateurs, dirigeants (et autres personnes) qui agissent pour le compte de l'Association en son nom.

(2) Aucun règlement adopté par le conseil n'entre en vigueur avant d'être, soit ratifié, soit modifié puis ratifié par l'ensemble des membres lors d'une assemblée générale annuelle ou lors d'une assemblée extraordinaire convoquée afin d'examiner ce règlement.

Ratification
des règle-
ments

7 (1) L'Association accorde la qualité de membre à tout particulier qui en fait la demande conformément au règlement intérieur et qui satisfait aux conditions suivantes :

Adhésion

- a) avoir dix-huit ans révolus;
- b) satisfaire aux critères de formation théorique et pratique que précise le règlement intérieur relativement à l'octroi de la qualité de membre;
- c) avoir subi avec succès les examens que le conseil organise ou approuve conformément au règlement intérieur.

(2) L'Association tient un tableau où sont inscrits les noms de tous ses membres en règle. Seules les personnes inscrites à ce tableau sont membres et bénéficient des privilèges que confère l'appartenance à l'Association.

Tableau

(3) Le public peut examiner le tableau au siège social de l'Association pendant les heures normales de bureau.

Examen du
tableau

(4) Le particulier qui satisfait aux critères d'admission à l'Association et à qui pareille admission a été refusée ou le particulier qui a fait l'objet d'une mesure disciplinaire en vertu du règlement intérieur peuvent interjeter appel du refus d'admission ou de la mesure disciplinaire devant la Cour divisionnaire conformément aux règles de pratique.

Appels

(5) Lorsqu'une personne interjette appel devant la Cour divisionnaire, l'Association dépose sans délai auprès de la Cour les pièces justificatives de l'échec à l'examen d'agrément du refus d'admission ou de la décision du comité qui a imposé des mesures disciplinaires. Ces pièces, accompagnées d'éventuelles transcriptions de témoignages, constituent le dossier d'appel.

Dossier
d'appel

(6) Les appels interjetés en vertu du présent article peuvent porter sur des questions de droit ou de fait, ou les deux, et le tribunal peut confirmer ou annuler une décision, exercer les pouvoirs d'un comité de l'Association et enjoindre cette dernière de prendre toute action qu'il estime opportune et qu'elle

Pouvoirs du
tribunal

of any committee or of the Association or the court may refer the matter back for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designations

8.—(1) Every member of the Association who is certified by the Association as a translator, conference interpreter, court interpreter or terminologist may use the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, as the case may be.

Offence

(2) Any person in Ontario who, not being registered as a certified member of the Association, takes or uses the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, either alone or in combination with any other word, name, title or description or implies, suggests or holds out that he or she is a Certified Translator, Certified Conference Interpreter, Certified Court Interpreter or Certified Terminologist is guilty of an offence.

Evidence

(3) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the secretary of the Association, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person’s capacity as secretary is proof, in the absence of evidence to the contrary, that such a person is the secretary without any proof of that person’s signature or that the person is the secretary.

Idem

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not registered.

Removal
from register

9.—(1) The council shall cause the removal of the name of a member from the register,

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member’s death;
or

est habilitée à prendre. À ces fins, le tribunal peut substituer son opinion à celle de l'Association ou d'un comité de celle-ci; il peut aussi déférer la totalité ou une partie de la question à une seconde audience et donner à cet égard les directives qui lui semblent opportunes.

8 (1) Chaque membre de l'Association agréé par celle-ci comme traducteur ou traductrice, interprète de conférence, interprète judiciaire ou terminologue peut utiliser la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», selon le cas. Désignations

(2) Est coupable d'une infraction la personne qui, sans être inscrite auprès de l'Association comme membre agréé, prend ou utilise en Ontario la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», seule ou apposée à un autre mot, nom, titre ou description, ou qui laisse entendre, suggère ou prétend qu'elle est traducteur ou traductrice agréé(e), interprète de conférence agréé(e), interprète judiciaire agréé(e) ou terminologue agréé(e). Infraction

(3) Si une inscription est remise en question, la production d'une copie du tableau, certifiée conforme par le secrétaire de l'Association, constitue une preuve suffisante de l'inscription des personnes en lieu et place de la production du tableau original. Une copie certifiée conforme qui se présente comme étant signée par une personne en sa qualité de secrétaire fait foi, en l'absence de preuve contraire, que cette personne est le secrétaire, sans autre vérification de la signature de la personne ou de sa qualité de secrétaire. Preuve

(4) Le fait que le nom d'une personne ne figure pas sur la copie du tableau produite aux termes du paragraphe (3) fait foi, en l'absence de preuve contraire, que la personne n'est pas inscrite auprès de l'Association. Idem

9 (1) Le conseil raye du tableau le nom d'un membre : Radiation du tableau

- a) si le membre concerné en fait la demande ou y consent par écrit;
- b) si l'inscription du nom comporte une erreur;
- c) s'il est avisé du décès du membre;

- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

Restoration
to register

(2) Subject to subsection (3), the council, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of,

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association; and
- (b) such additional sum as may be prescribed by the by-laws.

Idem

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the council may, by resolution, direct that the name be restored subject to such terms and conditions as the council may impose.

Rights not
affected

10. This Act does not affect or interfere with the right of any person who is not a member of the Association to describe himself or herself as a translator or interpreter, or to practice as a translator or interpreter.

Surplus

11. Any surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Association of Translators and Interpreters of Ontario Act, 1989*.

- d) si l'inscription du membre a été suspendue ou révoquée dans le cadre de mesures disciplinaires.

(2) Sous réserve du paragraphe (3) et en se fondant sur les motifs qu'il estime suffisants, le conseil peut rétablir au tableau le nom d'une personne qui en avait été rayé, soit gratuitement, soit sur paiement à l'Association des sommes suivantes :

Rétablissement au tableau

- a) une somme qui ne dépasse pas les droits ou autres arriérés que la personne doit à l'Association;
- b) une somme additionnelle que peut prescrire le règlement intérieur.

(3) Si le nom d'une personne qui fait l'objet d'une suspension ou dont l'inscription a été suspendue ou révoquée en vertu de l'alinéa (1) d) est rétabli au tableau en vertu du paragraphe (2), le conseil peut, par résolution, subordonner ce rétablissement aux conditions qu'il estime opportunes.

Idem

10 La présente loi ne porte aucunement atteinte aux droits d'une personne qui n'est pas membre de l'Association de se qualifier de traducteur, de traductrice ou d'interprète ou d'exercer la profession de traducteur ou d'interprète.

Droits préservés

11 L'excédent financier qui résulte de la gestion des affaires de l'Association est consacré uniquement à la promotion et à l'exécution des objectifs de l'Association et n'est pas réparti parmi les membres.

Excédent financier

12 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.

Entrée en vigueur

13 Le titre abrégé de la présente loi est *Loi de 1989 sur l'Association des traducteurs et interprètes de l'Ontario*.

Titre abrégé

Bill Pr36

**An Act respecting
Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

Mr. Poirier

1st Reading January 11th, 1989
2nd Reading
3rd Reading
Royal Assent

*(Reprinted as amended by the
Regulations and Private Bills
Committee)*

Projet de loi Pr36

**Loi concernant
l'Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

M. Poirier

1^{re} lecture 11 janvier 1989
2^e lecture
3^e lecture
sanction royale

*(Réimprimé tel qu'il est modifié par le
Comité des règlements et des
projets de loi privés)*

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

NOTE EXPLICATIVE

L'objet du projet de loi est énoncé dans le préambule.

Bill Pr36**1989****An Act respecting Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario****Preamble**

Whereas Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, herein called the Association, hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 2nd day of March, 1921; that supplementary letters patent dated the 10th day of September, 1962 changed the name of the Association to that set out herein; and whereas the Association wishes to continue as a corporation for the purpose of carrying out the objects of the Association and governing and disciplining its members; and whereas the Association considers it desirable to grant to members of the Association the exclusive right to use certain designations as set out in section 8; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definition

1. In this Act, "council" means the council of the Association. ("conseil")

**Corporation
continued**

2.—(1) The Association is continued as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and other persons who become members of the Association constitute the corporation.

**Continuation
of present
council**

(2) The members of the council and the officers of the Association in office immediately before the coming into force of this Act are continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Association.

Projet de loi Pr36**1989****Loi concernant l'Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario**

Attendu que l'Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, ci-après dénommée l'Association, déclare par la présente avoir été constituée en vertu des lois de l'Ontario par lettres patentes en date du 2 mars 1921 et avoir adopté le nom ci-dessus par lettres patentes supplémentaires en date du 10 septembre 1962; et attendu que l'Association souhaite son maintien comme personne morale pour accomplir ses objectifs, gouverner ses membres et faire régner la discipline dans ses rangs; et attendu que l'Association souhaite réserver à ses membres le droit exclusif d'utiliser certaines désignations énoncées à l'article 8; et attendu que l'Association demande par la présente qu'une loi spéciale soit adoptée à ces fins; et attendu qu'il y a lieu d'accéder à cette demande;

Préambule

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Dans la présente loi, «conseil» s'entend du conseil de l'Association. («council»)

Définition

2 (1) L'Association est maintenue comme personne morale sans capital-actions. Les personnes inscrites comme membres de l'Association le jour où la présente loi entre en vigueur et celles qui deviennent membres à une date ultérieure constituent la personne morale.

Maintien de
l'Association

(2) Les membres du conseil et les dirigeants de l'Association en fonction immédiatement avant l'entrée en vigueur de la présente loi sont maintenus dans leurs fonctions jusqu'à ce que leurs successeurs soient élus ou nommés conformément à la présente loi et au règlement intérieur de l'Association.

Maintien du
conseil

Letters
patent
revoked

(3) The letters patent of the Association are revoked, but the revocation does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act,
corporation

(4) The Association shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Association are,

- (a) to provide a collective voice for its members;
- (b) to promote the professional development of its members;
- (c) to ensure that members exercise high standards of ethical conduct;
- (d) to publicize the role performed by its members in society;
- (e) to establish standards of competency and certification examinations and to monitor the quality of the professional services rendered by its members;
- (f) to examine any complaints received that pertain to the competence or professional conduct of a member;
- (g) to support and protect the collective status, dignity and integrity of professional translators and interpreters;
- (h) to provide its members with services designed to meet their professional needs; and
- (i) to maintain amicable and professional relations with similar organizations inside and outside Canada.

Council

4.—(1) The affairs of the Association shall be managed by a council.

Composition
of council

(2) The council shall consist of not fewer than four or more than twenty-five persons, as the council may determine by by-law, elected from the membership of the Association.

Election of
board
members

(3) The manner of electing the members of the council, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers

(3) Les lettres patentes de l'Association sont révoquées. Cette révocation n'a aucune incidence sur les droits ou obligations de l'Association, ni sur les règlements, résolutions ou nominations de l'Association, sauf dans la mesure où ils sont incompatibles avec la présente loi.

Révocation
des lettres
patentes

(4) L'Association est réputée une personne morale constituée par loi spéciale.

Loi spéciale,
personne
morale

3 Les objectifs de l'Association sont les suivants :

Objectifs

- a) donner à ses membres une voix collective;
- b) promouvoir le perfectionnement professionnel de ses membres;
- c) veiller à ce que ses membres respectent des normes élevées de déontologie;
- d) faire connaître le rôle de ses membres dans la société;
- e) établir des critères de compétence, mettre sur pied des examens d'agrément et surveiller la qualité des services professionnels fournis par ses membres;
- f) examiner les plaintes reçues au sujet de la compétence ou du comportement professionnel d'un membre;
- g) promouvoir et protéger la situation, la dignité et l'intégrité collectives des traducteurs et interprètes professionnels;
- h) fournir à ses membres des services destinés à pourvoir à leurs besoins professionnels;
- i) entretenir des rapports amicaux et professionnels avec des organismes similaires au Canada et à l'étranger.

4 (1) Le conseil gère les affaires de l'Association.

Conseil

(2) Le conseil se compose de quatre personnes au moins et de vingt-cinq personnes au plus élues parmi les membres de l'Association, selon ce que le conseil fixe par règlement.

Composition
du conseil

(3) Le règlement intérieur de l'Association précise les modalités relatives à l'élection des membres du conseil, et notamment le mode de scrutin, le préavis aux électeurs de la date, de l'heure et du lieu des élections, les mises en candida-

Élection des
membres du
conseil

at elections, the taking and counting of votes, the term of office of members of the council and other necessary details shall be set out in the by-laws of the Association.

Quorum (4) At any meeting of the council, two-fifths of the members of the council constitute a quorum.

Officers (5) The council shall elect or appoint such officers as are prescribed by the by-laws.

Other appointments (6) The council may appoint such other persons as are necessary to perform the work of the Association.

Vacancies (7) In the case of the death, resignation or incapacity of any member of the council, the office shall be declared vacant by the council and the council shall fill the vacancy in such manner as may be provided by the by-laws of the Association for the balance of the term.

Proxies **5.** At any annual, general or special meeting, members of the Association may be represented and vote by proxy but,

- (a) no proxy shall be exercised by a person who is not a member of the Association; and
- (b) the proxy shall be exercised in accordance with the by-laws.

By-laws **6.—(1)** The council may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, the council may pass by-laws,

- (a) establishing the qualifications for and conditions of registration for members;
- (b) prescribing a curriculum and any courses of study to be pursued by students in order to satisfy the certification requirements;
- (c) establishing and prescribing such classes of membership, the qualifications for admission thereto, and the privileges and limitations thereof as are necessary and in the public interest;
- (d) regulating and governing the conduct of members of the Association in the practice of their business, vocation or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;

ture, les directeurs de scrutin, la collecte et le dépouillement des votes et la durée du mandat des membres du conseil.

(4) À toute réunion du conseil, les deux cinquièmes des membres du conseil constituent le quorum. Quorum

(5) Le conseil élit ou nomme les dirigeants que prescrit le règlement intérieur. Dirigeants

(6) Le conseil peut nommer les autres personnes nécessaires à l'accomplissement des tâches de l'Association. Autres nominations

(7) En cas de décès, de démission ou d'incapacité d'un membre du conseil, le conseil déclare le poste vacant et comble cette vacance jusqu'à expiration du mandat de la manière que prévoit le règlement intérieur de l'Association. Vacances

5 Les membres de l'Association peuvent se faire représenter aux assemblées annuelles, générales et extraordinaires et y voter par procuration, sous réserve des conditions suivantes : Procurations

- a) nul autre qu'un membre de l'Association ne doit se servir d'une procuration;
- b) la procuration doit être utilisée conformément au règlement intérieur.

6 (1) Le conseil peut adopter des règlements régissant toutes les questions nécessaires à la conduite des affaires de l'Association et à l'accomplissement de ses objectifs, et notamment : Règlements

- a) fixer les qualifications requises pour l'inscription des membres et les modalités de leur inscription;
- b) prescrire le programme d'études ou les cours que doivent suivre les étudiants pour satisfaire aux critères d'agrément;
- c) créer et prescrire les catégories de membres, les qualifications requises pour l'admission à ces catégories et les privilèges et restrictions qui se rattachent à chacune d'elles, selon ce qui est nécessaire et conforme à l'intérêt public;
- d) prescrire un code de déontologie, des règles de conduite professionnelle et des normes de pratique afin de réglementer la conduite des membres de l'Association dans l'exploitation de leur entreprise, dans la poursuite de leur vocation ou dans l'exercice de leur profession;

- (e) providing for the receipt and consideration of complaints made to the Association concerning the conduct of its members in the practice of their business or profession;
- (f) providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence, or failure or refusal to pay any required fee, including the establishment of a discipline committee and procedures therefor;
- (g) prescribing fees payable to the Association;
- (h) governing the calling, holding and conducting of meetings of the council and of the members of the Association;
- (i) providing for an executive committee to have all or such portion of the authority of the council between meetings of the council as may be prescribed therein;
- (j) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations and for contributions from the funds of the Association;
- (k) authorizing the spending of funds and making of grants for the promotion of its objects;
- (l) providing for the establishment of defined geographical districts within which the members resident or employed therein shall be entitled to elect a member to serve on the council;
- (m) governing the acquisition, management and disposal of the property of the Association and the conduct of its affairs;
- (n) providing for the appointment, removal, functions, duties and remuneration of agents and employees of the Association;
- (o) establishing such committees as the council considers necessary to carry out the business of the Association; and

- e) prévoir l'accueil et l'examen de plaintes adressées à l'Association relativement à la conduite de ses membres dans l'exploitation de leur entreprise ou l'exercice de leur profession;
- f) prévoir la suspension, l'expulsion ou toute autre pénalité pour cause de manquement professionnel, d'incapacité ou d'incompétence ou en cas de défaut ou de refus d'acquitter tout droit requis, ainsi que la création d'un comité de discipline et l'adoption de procédures à cet effet;
- g) prescrire les droits payables à l'Association;
- h) régir la convocation, la tenue et la conduite des réunions du conseil et des assemblées des membres de l'Association;
- i) prévoir un bureau et attribuer à celui-ci tout ou partie des pouvoirs du conseil entre deux réunions de ce dernier, selon ce que prescrivent les règlements;
- j) créer et gérer un fonds de bienfaisance au profit de tout membre de l'Association ou, dans le cas d'un membre décédé, au profit de sa famille, si ceux-ci ont besoin d'une aide financière et, à cette fin, prévoir la collecte de contributions ou de dons et l'apport de fonds de l'Association;
- k) autoriser la dépense de fonds et l'octroi de subventions pour la promotion de ses objectifs;
- l) prévoir la délimitation de secteurs géographiques et accorder aux membres qui résident ou travaillent dans ces secteurs le droit d'élire un représentant au conseil;
- m) régir l'acquisition, la gestion et l'aliénation des biens de l'Association et la conduite des affaires de celle-ci;
- n) prévoir la nomination, la destitution, les fonctions, les responsabilités et la rémunération des représentants et employés de l'Association;
- o) créer les comités que le conseil estime nécessaires pour mener à bien les affaires de l'Association;

- (p) providing for the protection and indemnity of directors, officers and officials acting for the benefit of and on behalf of the Association.

Confirmation
of by-laws

(2) No by-law passed by the council comes into force until it is confirmed or amended and confirmed by the general membership at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Membership

7.—(1) The Association shall grant a membership in the Association to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (c) has passed such examinations as the council may set or approve in accordance with the by-laws.

Register

(2) The Association shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Appeals

(4) An individual who is qualified for membership in the Association and who has been refused membership or an individual who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court, in accordance with the rules of court, from the refusal to grant membership or from the sanction.

Records

(5) Where a person appeals to the Divisional Court, the Association shall forthwith file in the Court a record of the proceeding that resulted in failure or a refusal to grant membership or the decision of the committee imposing a sanction which, together with any transcript of evidence, if there is one, shall constitute the record in the appeal.

Powers of
court

(6) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind any decision, may exercise all powers of any committee and may direct the Association to take any action that the Association is empowered to take as the court considers proper and, for such purposes, the court may substitute its opinion for that

- p) prévoir la protection et l'indemnité des administrateurs, dirigeants (et autres personnes) qui agissent pour le compte de l'Association en son nom.

(2) Aucun règlement adopté par le conseil n'entre en vigueur avant d'être, soit ratifié, soit modifié puis ratifié par l'ensemble des membres lors d'une assemblée générale annuelle ou lors d'une assemblée extraordinaire convoquée afin d'examiner ce règlement.

Ratification
des règle-
ments

7 (1) L'Association accorde la qualité de membre à tout particulier qui en fait la demande conformément au règlement intérieur et qui satisfait aux conditions suivantes :

Adhésion

- a) avoir dix-huit ans révolus;
- b) satisfaire aux critères de formation théorique et pratique que précise le règlement intérieur relativement à l'octroi de la qualité de membre;
- c) avoir subi avec succès les examens que le conseil organise ou approuve conformément au règlement intérieur.

(2) L'Association tient un tableau où sont inscrits les noms de tous ses membres en règle. Seules les personnes inscrites à ce tableau sont membres et bénéficient des privilèges que confère l'appartenance à l'Association.

Tableau

(3) Le public peut examiner le tableau au siège social de l'Association pendant les heures normales de bureau.

Examen du
tableau

(4) Le particulier qui satisfait aux critères d'admission à l'Association et à qui pareille admission a été refusée ou le particulier qui a fait l'objet d'une mesure disciplinaire en vertu du règlement intérieur peuvent interjeter appel du refus d'admission ou de la mesure disciplinaire devant la Cour divisionnaire conformément aux règles de pratique.

Appels

(5) Lorsqu'une personne interjette appel devant la Cour divisionnaire, l'Association dépose sans délai auprès de la Cour les pièces justificatives de l'échec à l'examen d'agrément du refus d'admission ou de la décision du comité qui a imposé des mesures disciplinaires. Ces pièces, accompagnées d'éventuelles transcriptions de témoignages, constituent le dossier d'appel.

Dossier
d'appel

(6) Les appels interjetés en vertu du présent article peuvent porter sur des questions de droit ou de fait, ou les deux, et le tribunal peut confirmer ou annuler une décision, exercer les pouvoirs d'un comité de l'Association et enjoindre cette dernière de prendre toute action qu'il estime opportune et qu'elle

Pouvoirs du
tribunal

of any committee or of the Association or the court may refer the matter back for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designations

8.—(1) Every member of the Association who is certified by the Association as a translator, conference interpreter, court interpreter or terminologist may use the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, as the case may be.

Offence

(2) Any person in Ontario who, not being registered as a certified member of the Association, takes or uses the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, either alone or in combination with any other word, name, title or description or implies, suggests or holds out that he or she is a Certified Translator, Certified Conference Interpreter, Certified Court Interpreter or Certified Terminologist is guilty of an offence.

Exception

(3) Subsection (2) does not apply to a person accredited or certified by the Ministry of the Attorney General as a court interpreter.

Evidence

(4) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the secretary of the Association, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person's capacity as secretary is proof, in the absence of evidence to the contrary, that such a person is the secretary without any proof of that person's signature or that the person is the secretary.

Idem

(5) The absence of the name of any person from a copy of the register produced under subsection (4) is proof, in the absence of evidence to the contrary, that the person is not registered.

**Removal
from register**

9.—(1) The council shall cause the removal of the name of a member from the register,

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member's death;
or

est habilitée à prendre. À ces fins, le tribunal peut substituer son opinion à celle de l'Association ou d'un comité de celle-ci; il peut aussi déférer la totalité ou une partie de la question à une seconde audience et donner à cet égard les directives qui lui semblent opportunes.

8 (1) Chaque membre de l'Association agréé par celle-ci comme traducteur ou traductrice, interprète de conférence, interprète judiciaire ou terminologue peut utiliser la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», selon le cas. Désignations

(2) Est coupable d'une infraction la personne qui, sans être inscrite auprès de l'Association comme membre agréé, prend ou utilise en Ontario la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», seule ou apposée à un autre mot, nom, titre ou description, ou qui laisse entendre, suggère ou prétend qu'elle est traducteur ou traductrice agréé(e), interprète de conférence agréé(e), interprète judiciaire agréé(e) ou terminologue agréé(e). Infraction

(3) Le paragraphe (2) ne s'applique pas à une personne accréditée ou agréée comme interprète judiciaire par le ministère du Procureur général. Exception

(4) Si une inscription est remise en question, la production d'une copie du tableau, certifiée conforme par le secrétaire de l'Association, constitue une preuve suffisante de l'inscription des personnes en lieu et place de la production du tableau original. Une copie certifiée conforme qui se présente comme étant signée par une personne en sa qualité de secrétaire fait foi, en l'absence de preuve contraire, que cette personne est le secrétaire, sans autre vérification de la signature de la personne ou de sa qualité de secrétaire. Preuve

(5) Le fait que le nom d'une personne ne figure pas sur la copie du tableau produite aux termes du paragraphe (4) fait foi, en l'absence de preuve contraire, que la personne n'est pas inscrite auprès de l'Association. Idem

9 (1) Le conseil raye du tableau le nom d'un membre : Radiation du tableau

- a) si le membre concerné en fait la demande ou y consent par écrit;
- b) si l'inscription du nom comporte une erreur;
- c) s'il est avisé du décès du membre;

- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

Restoration
to register

(2) Subject to subsection (3), the council, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of,

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association; and
- (b) such additional sum as may be prescribed by the by-laws.

Idem

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the council may, by resolution, direct that the name be restored subject to such terms and conditions as the council may impose.

Rights not
affected

10. This Act does not affect or interfere with the right of any person who is not a member of the Association to describe himself or herself as a translator or interpreter, or to practice as a translator or interpreter.

Surplus

11. Any surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Association of Translators and Interpreters of Ontario Act, 1989*.

- d) si l'inscription du membre a été suspendue ou révoquée dans le cadre de mesures disciplinaires.

(2) Sous réserve du paragraphe (3) et en se fondant sur les motifs qu'il estime suffisants, le conseil peut rétablir au tableau le nom d'une personne qui en avait été rayé, soit gratuitement, soit sur paiement à l'Association des sommes suivantes :

Rétablissement
au
tableau

- a) une somme qui ne dépasse pas les droits ou autres arriérés que la personne doit à l'Association;
- b) une somme additionnelle que peut prescrire le règlement intérieur.

(3) Si le nom d'une personne qui fait l'objet d'une suspension ou dont l'inscription a été suspendue ou révoquée en vertu de l'alinéa (1) d) est rétabli au tableau en vertu du paragraphe (2), le conseil peut, par résolution, subordonner ce rétablissement aux conditions qu'il estime opportunes.

Idem

10 La présente loi ne porte aucunement atteinte aux droits d'une personne qui n'est pas membre de l'Association de se qualifier de traducteur, de traductrice ou d'interprète ou d'exercer la profession de traducteur ou d'interprète.

Droits
préservés

11 L'excédent financier qui résulte de la gestion des affaires de l'Association est consacré uniquement à la promotion et à l'exécution des objectifs de l'Association et n'est pas réparti parmi les membres.

Excédent
financier

12 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.

Entrée en
vigueur

13 Le titre abrégé de la présente loi est *Loi de 1989 sur l'Association des traducteurs et interprètes de l'Ontario*.

Titre abrégé

Bill Pr36

1ST SESSION, 34TH LEGISLATURE, ONTARIO
37 ELIZABETH II, 1989

Bill Pr36

(Chapter Pr2
Statutes of Ontario, 1989)

**An Act respecting
Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

Mr. Poirier

<i>1st Reading</i>	January 11th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Projet de loi Pr36

1^{re} SESSION, 34^e LÉGISLATURE, ONTARIO
37 ELIZABETH II, 1989

Projet de loi Pr36

(Chapitre Pr2
Lois de l'Ontario de 1989)

**Loi concernant
l'Association des traducteurs
et interprètes de l'Ontario—
The Association of
Translators and Interpreters
of Ontario**

M. Poirier

<i>1^{re} lecture</i>	11 janvier 1989
<i>2^e lecture</i>	23 février 1989
<i>3^e lecture</i>	23 février 1989
<i>sanction royale</i>	27 février 1989

Bill Pr36**1989****An Act respecting Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario**

Preamble

Whereas Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, herein called the Association, hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 2nd day of March, 1921; that supplementary letters patent dated the 10th day of September, 1962 changed the name of the Association to that set out herein; and whereas the Association wishes to continue as a corporation for the purpose of carrying out the objects of the Association and governing and disciplining its members; and whereas the Association considers it desirable to grant to members of the Association the exclusive right to use certain designations as set out in section 8; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definition

1. In this Act, “council” means the council of the Association. (“conseil”)

Corporation
continued

2.—(1) The Association is continued as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and other persons who become members of the Association constitute the corporation.

Continuation
of present
council

(2) The members of the council and the officers of the Association in office immediately before the coming into force of this Act are continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Association.

Projet de loi Pr36**1989****Loi concernant l'Association des traducteurs
et interprètes de l'Ontario—The Association of
Translators and Interpreters of Ontario**

Attendu que l'Association des traducteurs et interprètes de l'Ontario—The Association of Translators and Interpreters of Ontario, ci-après dénommée l'Association, déclare par la présente avoir été constituée en vertu des lois de l'Ontario par lettres patentes en date du 2 mars 1921 et avoir adopté le nom ci-dessus par lettres patentes supplémentaires en date du 10 septembre 1962; et attendu que l'Association souhaite son maintien comme personne morale pour accomplir ses objectifs, gouverner ses membres et faire régner la discipline dans ses rangs; et attendu que l'Association souhaite réserver à ses membres le droit exclusif d'utiliser certaines désignations énoncées à l'article 8; et attendu que l'Association demande par la présente qu'une loi spéciale soit adoptée à ces fins; et attendu qu'il y a lieu d'accéder à cette demande; Préambule

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, décrète ce qui suit :

1 Dans la présente loi, «conseil» s'entend du conseil de l'Association. («council») Définition

2 (1) L'Association est maintenue comme personne morale sans capital-actions. Les personnes inscrites comme membres de l'Association le jour où la présente loi entre en vigueur et celles qui deviennent membres à une date ultérieure constituent la personne morale. Maintien de l'Association

(2) Les membres du conseil et les dirigeants de l'Association en fonction immédiatement avant l'entrée en vigueur de la présente loi sont maintenus dans leurs fonctions jusqu'à ce que leurs successeurs soient élus ou nommés conformément à la présente loi et au règlement intérieur de l'Association. Maintien du conseil

Letters
patent
revoked

(3) The letters patent of the Association are revoked, but the revocation does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act,
corporation

(4) The Association shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Association are,

- (a) to provide a collective voice for its members;
- (b) to promote the professional development of its members;
- (c) to ensure that members exercise high standards of ethical conduct;
- (d) to publicize the role performed by its members in society;
- (e) to establish standards of competency and certification examinations and to monitor the quality of the professional services rendered by its members;
- (f) to examine any complaints received that pertain to the competence or professional conduct of a member;
- (g) to support and protect the collective status, dignity and integrity of professional translators and interpreters;
- (h) to provide its members with services designed to meet their professional needs; and
- (i) to maintain amicable and professional relations with similar organizations inside and outside Canada.

Council

4.—(1) The affairs of the Association shall be managed by a council.

Composition
of council

(2) The council shall consist of not fewer than four or more than twenty-five persons, as the council may determine by by-law, elected from the membership of the Association.

Election of
board
members

(3) The manner of electing the members of the council, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers

(3) Les lettres patentes de l'Association sont révoquées. Cette révocation n'a aucune incidence sur les droits ou obligations de l'Association, ni sur les règlements, résolutions ou nominations de l'Association, sauf dans la mesure où ils sont incompatibles avec la présente loi.

Révocation
des lettres
patentes

(4) L'Association est réputée une personne morale constituée par loi spéciale.

Loi spéciale,
personne
morale

3 Les objectifs de l'Association sont les suivants :

Objectifs

- a) donner à ses membres une voix collective;
- b) promouvoir le perfectionnement professionnel de ses membres;
- c) veiller à ce que ses membres respectent des normes élevées de déontologie;
- d) faire connaître le rôle de ses membres dans la société;
- e) établir des critères de compétence, mettre sur pied des examens d'agrément et surveiller la qualité des services professionnels fournis par ses membres;
- f) examiner les plaintes reçues au sujet de la compétence ou du comportement professionnel d'un membre;
- g) promouvoir et protéger la situation, la dignité et l'intégrité collectives des traducteurs et interprètes professionnels;
- h) fournir à ses membres des services destinés à pourvoir à leurs besoins professionnels;
- i) entretenir des rapports amicaux et professionnels avec des organismes similaires au Canada et à l'étranger.

4 (1) Le conseil gère les affaires de l'Association.

Conseil

(2) Le conseil se compose de quatre personnes au moins et de vingt-cinq personnes au plus élues parmi les membres de l'Association, selon ce que le conseil fixe par règlement.

Composition
du conseil

(3) Le règlement intérieur de l'Association précise les modalités relatives à l'élection des membres du conseil, et notamment le mode de scrutin, le préavis aux électeurs de la date, de l'heure et du lieu des élections, les mises en candida-

Élection des
membres du
conseil

at elections, the taking and counting of votes, the term of office of members of the council and other necessary details shall be set out in the by-laws of the Association.

Quorum

(4) At any meeting of the council, two-fifths of the members of the council constitute a quorum.

Officers

(5) The council shall elect or appoint such officers as are prescribed by the by-laws.

Other appointments

(6) The council may appoint such other persons as are necessary to perform the work of the Association.

Vacancies

(7) In the case of the death, resignation or incapacity of any member of the council, the office shall be declared vacant by the council and the council shall fill the vacancy in such manner as may be provided by the by-laws of the Association for the balance of the term.

Proxies

5. At any annual, general or special meeting, members of the Association may be represented and vote by proxy but,

- (a) no proxy shall be exercised by a person who is not a member of the Association; and
- (b) the proxy shall be exercised in accordance with the by-laws.

By-laws

6.—(1) The council may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, the council may pass by-laws,

- (a) establishing the qualifications for and conditions of registration for members;
- (b) prescribing a curriculum and any courses of study to be pursued by students in order to satisfy the certification requirements;
- (c) establishing and prescribing such classes of membership, the qualifications for admission thereto, and the privileges and limitations thereof as are necessary and in the public interest;
- (d) regulating and governing the conduct of members of the Association in the practice of their business, vocation or profession, by prescribing a code of ethics, rules of professional conduct and standards of practice;

ture, les directeurs de scrutin, la collecte et le dépouillement des votes et la durée du mandat des membres du conseil.

(4) À toute réunion du conseil, les deux cinquièmes des membres du conseil constituent le quorum. Quorum

(5) Le conseil élit ou nomme les dirigeants que prescrit le règlement intérieur. Dirigeants

(6) Le conseil peut nommer les autres personnes nécessaires à l'accomplissement des tâches de l'Association. Autres nominations

(7) En cas de décès, de démission ou d'incapacité d'un membre du conseil, le conseil déclare le poste vacant et comble cette vacance jusqu'à expiration du mandat de la manière que prévoit le règlement intérieur de l'Association. Vacances

5 Les membres de l'Association peuvent se faire représenter aux assemblées annuelles, générales et extraordinaires et y voter par procuration, sous réserve des conditions suivantes : Procurations

- a) nul autre qu'un membre de l'Association ne doit se servir d'une procuration;
- b) la procuration doit être utilisée conformément au règlement intérieur.

6 (1) Le conseil peut adopter des règlements régissant toutes les questions nécessaires à la conduite des affaires de l'Association et à l'accomplissement de ses objectifs, et notamment : Règlements

- a) fixer les qualifications requises pour l'inscription des membres et les modalités de leur inscription;
- b) prescrire le programme d'études ou les cours que doivent suivre les étudiants pour satisfaire aux critères d'agrément;
- c) créer et prescrire les catégories de membres, les qualifications requises pour l'admission à ces catégories et les privilèges et restrictions qui se rattachent à chacune d'elles, selon ce qui est nécessaire et conforme à l'intérêt public;
- d) prescrire un code de déontologie, des règles de conduite professionnelle et des normes de pratique afin de réglementer la conduite des membres de l'Association dans l'exploitation de leur entreprise, dans la poursuite de leur vocation ou dans l'exercice de leur profession;

- (e) providing for the receipt and consideration of complaints made to the Association concerning the conduct of its members in the practice of their business or profession;
- (f) providing for the suspension, expulsion or other penalty for professional misconduct, incapacity or incompetence, or failure or refusal to pay any required fee, including the establishment of a discipline committee and procedures therefor;
- (g) prescribing fees payable to the Association;
- (h) governing the calling, holding and conducting of meetings of the council and of the members of the Association;
- (i) providing for an executive committee to have all or such portion of the authority of the council between meetings of the council as may be prescribed therein;
- (j) establishing and providing for the administration of a benevolent fund for the benefit of any member of the Association or the families of deceased members of the Association who may require financial assistance and, for that purpose, providing for the receipt of contributions or donations and for contributions from the funds of the Association;
- (k) authorizing the spending of funds and making of grants for the promotion of its objects;
- (l) providing for the establishment of defined geographical districts within which the members resident or employed therein shall be entitled to elect a member to serve on the council;
- (m) governing the acquisition, management and disposal of the property of the Association and the conduct of its affairs;
- (n) providing for the appointment, removal, functions, duties and remuneration of agents and employees of the Association;
- (o) establishing such committees as the council considers necessary to carry out the business of the Association; and

- e) prévoir l'accueil et l'examen de plaintes adressées à l'Association relativement à la conduite de ses membres dans l'exploitation de leur entreprise ou l'exercice de leur profession;
- f) prévoir la suspension, l'expulsion ou toute autre pénalité pour cause de manquement professionnel, d'incapacité ou d'incompétence ou en cas de défaut ou de refus d'acquitter tout droit requis, ainsi que la création d'un comité de discipline et l'adoption de procédures à cet effet;
- g) prescrire les droits payables à l'Association;
- h) régir la convocation, la tenue et la conduite des réunions du conseil et des assemblées des membres de l'Association;
- i) prévoir un bureau et attribuer à celui-ci tout ou partie des pouvoirs du conseil entre deux réunions de ce dernier, selon ce que prescrivent les règlements;
- j) créer et gérer un fonds de bienfaisance au profit de tout membre de l'Association ou, dans le cas d'un membre décédé, au profit de sa famille, si ceux-ci ont besoin d'une aide financière et, à cette fin, prévoir la collecte de contributions ou de dons et l'apport de fonds de l'Association;
- k) autoriser la dépense de fonds et l'octroi de subventions pour la promotion de ses objectifs;
- l) prévoir la délimitation de secteurs géographiques et accorder aux membres qui résident ou travaillent dans ces secteurs le droit d'élire un représentant au conseil;
- m) régir l'acquisition, la gestion et l'aliénation des biens de l'Association et la conduite des affaires de celle-ci;
- n) prévoir la nomination, la destitution, les fonctions, les responsabilités et la rémunération des représentants et employés de l'Association;
- o) créer les comités que le conseil estime nécessaires pour mener à bien les affaires de l'Association;

- (p) providing for the protection and indemnity of directors, officers and officials acting for the benefit of and on behalf of the Association.

Confirmation
of by-laws

(2) No by-law passed by the council comes into force until it is confirmed or amended and confirmed by the general membership at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Membership

7.—(1) The Association shall grant a membership in the Association to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
- (c) has passed such examinations as the council may set or approve in accordance with the by-laws.

Register

(2) The Association shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

Inspection of
register

(3) The register shall be open to examination by the public at the head office of the Association during normal office hours.

Appeals

(4) An individual who is qualified for membership in the Association and who has been refused membership or an individual who has been subject to a disciplinary sanction under the by-laws may appeal to the Divisional Court, in accordance with the rules of court, from the refusal to grant membership or from the sanction.

Records

(5) Where a person appeals to the Divisional Court, the Association shall forthwith file in the Court a record of the proceeding that resulted in failure or a refusal to grant membership or the decision of the committee imposing a sanction which, together with any transcript of evidence, if there is one, shall constitute the record in the appeal.

Powers of
court

(6) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind any decision, may exercise all powers of any committee and may direct the Association to take any action that the Association is empowered to take as the court considers proper and, for such purposes, the court may substitute its opinion for that

- p) prévoir la protection et l'indemnité des administrateurs, dirigeants (et autres personnes) qui agissent pour le compte de l'Association en son nom.

(2) Aucun règlement adopté par le conseil n'entre en vigueur avant d'être, soit ratifié, soit modifié puis ratifié par l'ensemble des membres lors d'une assemblée générale annuelle ou lors d'une assemblée extraordinaire convoquée afin d'examiner ce règlement.

Ratification
des règle-
ments

7 (1) L'Association accorde la qualité de membre à tout particulier qui en fait la demande conformément au règlement intérieur et qui satisfait aux conditions suivantes :

Adhésion

- a) avoir dix-huit ans révolus;
- b) satisfaire aux critères de formation théorique et pratique que précise le règlement intérieur relativement à l'octroi de la qualité de membre;
- c) avoir subi avec succès les examens que le conseil organise ou approuve conformément au règlement intérieur.

(2) L'Association tient un tableau où sont inscrits les noms de tous ses membres en règle. Seules les personnes inscrites à ce tableau sont membres et bénéficient des privilèges que confère l'appartenance à l'Association.

Tableau

(3) Le public peut examiner le tableau au siège social de l'Association pendant les heures normales de bureau.

Examen du
tableau

(4) Le particulier qui satisfait aux critères d'admission à l'Association et à qui pareille admission a été refusée ou le particulier qui a fait l'objet d'une mesure disciplinaire en vertu du règlement intérieur peuvent interjeter appel du refus d'admission ou de la mesure disciplinaire devant la Cour divisionnaire conformément aux règles de pratique.

Appels

(5) Lorsqu'une personne interjette appel devant la Cour divisionnaire, l'Association dépose sans délai auprès de la Cour les pièces justificatives de l'échec à l'examen d'agrément du refus d'admission ou de la décision du comité qui a imposé des mesures disciplinaires. Ces pièces, accompagnées d'éventuelles transcriptions de témoignages, constituent le dossier d'appel.

Dossier
d'appel

(6) Les appels interjetés en vertu du présent article peuvent porter sur des questions de droit ou de fait, ou les deux, et le tribunal peut confirmer ou annuler une décision, exercer les pouvoirs d'un comité de l'Association et enjoindre cette dernière de prendre toute action qu'il estime opportune et qu'elle

Pouvoirs du
tribunal

of any committee or of the Association or the court may refer the matter back for rehearing, in whole or in part, in accordance with such directions as the court considers proper.

Designations

8.—(1) Every member of the Association who is certified by the Association as a translator, conference interpreter, court interpreter or terminologist may use the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, as the case may be.

Offence

(2) Any person in Ontario who, not being registered as a certified member of the Association, takes or uses the designation “Certified Translator”, “Certified Conference Interpreter”, “Certified Court Interpreter” or “Certified Terminologist”, either alone or in combination with any other word, name, title or description or implies, suggests or holds out that he or she is a Certified Translator, Certified Conference Interpreter, Certified Court Interpreter or Certified Terminologist is guilty of an offence.

Exception

(3) Subsection (2) does not apply to a person accredited or certified by the Ministry of the Attorney General as a court interpreter.

Evidence

(4) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the secretary of the Association, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that person's capacity as secretary is proof, in the absence of evidence to the contrary, that such a person is the secretary without any proof of that person's signature or that the person is the secretary.

Idem

(5) The absence of the name of any person from a copy of the register produced under subsection (4) is proof, in the absence of evidence to the contrary, that the person is not registered.

**Removal
from register**

9.—(1) The council shall cause the removal of the name of a member from the register,

- (a) at the request or with the written consent of the member whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where notification is received of a member's death;
or

est habilitée à prendre. À ces fins, le tribunal peut substituer son opinion à celle de l'Association ou d'un comité de celle-ci; il peut aussi déférer la totalité ou une partie de la question à une seconde audience et donner à cet égard les directives qui lui semblent opportunes.

8 (1) Chaque membre de l'Association agréé par celle-ci comme traducteur ou traductrice, interprète de conférence, interprète judiciaire ou terminologue peut utiliser la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», selon le cas. Désignations

(2) Est coupable d'une infraction la personne qui, sans être inscrite auprès de l'Association comme membre agréé, prend ou utilise en Ontario la désignation «traducteur (traductrice) agréé(e)», «interprète de conférence agréé(e)», «interprète judiciaire agréé(e)» ou «terminologue agréé(e)», seule ou apposée à un autre mot, nom, titre ou description, ou qui laisse entendre, suggère ou prétend qu'elle est traducteur ou traductrice agréé(e), interprète de conférence agréé(e), interprète judiciaire agréé(e) ou terminologue agréé(e). Infraction

(3) Le paragraphe (2) ne s'applique pas à une personne accréditée ou agréée comme interprète judiciaire par le ministère du Procureur général. Exception

(4) Si une inscription est remise en question, la production d'une copie du tableau, certifiée conforme par le secrétaire de l'Association, constitue une preuve suffisante de l'inscription des personnes en lieu et place de la production du tableau original. Une copie certifiée conforme qui se présente comme étant signée par une personne en sa qualité de secrétaire fait foi, en l'absence de preuve contraire, que cette personne est le secrétaire, sans autre vérification de la signature de la personne ou de sa qualité de secrétaire. Preuve

(5) Le fait que le nom d'une personne ne figure pas sur la copie du tableau produite aux termes du paragraphe (4) fait foi, en l'absence de preuve contraire, que la personne n'est pas inscrite auprès de l'Association. Idem

9 (1) Le conseil raye du tableau le nom d'un membre : Radiation du tableau

- a) si le membre concerné en fait la demande ou y consent par écrit;
- b) si l'inscription du nom comporte une erreur;
- c) s'il est avisé du décès du membre;

- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings.

Restoration
to register

(2) Subject to subsection (3), the council, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored thereto either without fee or upon payment to the Association of,

- (a) a sum not exceeding the fees or other sums in arrears and owing by the person to the Association; and
- (b) such additional sum as may be prescribed by the by-laws.

Idem

(3) Where the name of a person who has been suspended or whose registration has been suspended or revoked under clause (1) (d) is to be restored to the register under subsection (2), the council may, by resolution, direct that the name be restored subject to such terms and conditions as the council may impose.

Rights not
affected

10. This Act does not affect or interfere with the right of any person who is not a member of the Association to describe himself or herself as a translator or interpreter, or to practice as a translator or interpreter.

Surplus

11. Any surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Association of Translators and Interpreters of Ontario Act, 1989*.

- d) si l'inscription du membre a été suspendue ou révoquée dans le cadre de mesures disciplinaires.

(2) Sous réserve du paragraphe (3) et en se fondant sur les motifs qu'il estime suffisants, le conseil peut rétablir au tableau le nom d'une personne qui en avait été rayé, soit gratuitement, soit sur paiement à l'Association des sommes suivantes :

Rétablissement
au
tableau

- a) une somme qui ne dépasse pas les droits ou autres arriérés que la personne doit à l'Association;
- b) une somme additionnelle que peut prescrire le règlement intérieur.

(3) Si le nom d'une personne qui fait l'objet d'une suspension ou dont l'inscription a été suspendue ou révoquée en vertu de l'alinéa (1) d) est rétabli au tableau en vertu du paragraphe (2), le conseil peut, par résolution, subordonner ce rétablissement aux conditions qu'il estime opportunes.

Idem

10 La présente loi ne porte aucunement atteinte aux droits d'une personne qui n'est pas membre de l'Association de se qualifier de traducteur, de traductrice ou d'interprète ou d'exercer la profession de traducteur ou d'interprète.

Droits
préservés

11 L'excédent financier qui résulte de la gestion des affaires de l'Association est consacré uniquement à la promotion et à l'exécution des objectifs de l'Association et n'est pas réparti parmi les membres.

Excédent
financier

12 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.

Entrée en
vigueur

13 Le titre abrégé de la présente loi est *Loi de 1989 sur l'Association des traducteurs et interprètes de l'Ontario*.

Titre abrégé

Bill Pr37

An Act respecting the University of Western Ontario

Mr. Reycraft

1st Reading December 22nd, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the amendment set out in section 1 of the Bill is to clarify the conflict of interest provision. The amendment in section 2 adds one member from the faculty of Applied Health Sciences to the membership of the Senate of the University.

Bill Pr37

1987

An Act respecting the University of Western Ontario

Whereas The University of Western Ontario hereby applies for special legislation to amend the *University of Western Ontario Act, 1982*; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of the *University of Western Ontario Act, 1982*, being chapter 92, is repealed and the following substituted therefor:

17.—(1) A member of the Board who has an interest, directly or indirectly, in any contract, transaction, proposed contract or proposed transaction under consideration by the Board or a committee created by it shall,

Conflict of interest

- (a) declare the nature and extent of the interest as soon as possible and no later than the meeting at which the matter is to be considered;
- (b) refrain from taking part in any discussion or vote in relation to the matter; and
- (c) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

(2) A member of the Board who is an employee of the University or whose spouse is an employee of the University may take part in discussions and vote on all matters relating generally to the financial operation of the University, other than matters referred to in subsection (3) or matters in which the member's interest or the interest of the member's spouse is not the same or substantially the same as that of other employees of the University.

Participation by members

Restriction
on partici-
pation

(3) No member of the Board, other than the President or a Vice-President appointed under clause 9 (1) (i), who is an employee or whose spouse is an employee of the University may take part in discussions or vote on matters related to the remuneration or benefits, terms of employment, rights or privileges available to employees of the University that are directly related to compensation or that are negotiated in a collective fashion for a class or group of employees of the University.

Conflict of
interest
found by
Board

(4) Where the Board or a committee of the Board to which the Board has delegated authority is of the opinion that a conflict of interest exists that has not been declared, the Board or committee may declare, by a resolution carried by two-thirds of the members present at the meeting, that a conflict of interest exists and a member of the Board thus found to be in conflict shall,

- (a) refrain from taking part in any discussion or vote related to the matter; and
- (b) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

2. Section 24 of the said Act is repealed and the following substituted therefor:

SENATE

Senate, how
composed

24.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,
 - (i) the Chancellor,
 - (ii) the Vice-Chancellor,
 - (iii) such Vice-Presidents as the Senate may determine,
 - (iv) the Deans of the academic units given Faculty representation under clause (b),
 - (v) the Director of Libraries,
 - (vi) the Registrar, and

- (vii) the Secretary of the Senate who shall be a non-voting member;
- (b) members of the Faculty, elected in the following numbers,
- | | |
|---|-----------------|
| (i) Faculty of Graduate Studies | —eight members, |
| (ii) Faculty of Arts | —four members, |
| (iii) Faculty of Medicine | —four members, |
| (iv) Faculty of Science | —four members, |
| (v) Faculty of Social Science | —four members, |
| (vi) Faculty of Dentistry | —one member, |
| (vii) Faculty of Education | —one member, |
| (viii) Faculty of Engineering Science | —one member, |
| (ix) Faculty of Law | —one member, |
| (x) Faculty of Music | —one member, |
| (xi) Faculty of Nursing | —one member, |
| (xii) Faculty of Physical Education | —one member, |
| (xiii) School of Business Administration | —one member, |
| (xiv) School of Library and Information Science | —one member, |
| (xv) Faculty of Part-Time and Continuing Education | —one member, |
| (xvi) Graduate School of Journalism | —one member, |
| (xvii) Applied Health Sciences | —one member, |
| (xviii) Subject to the approval of two-thirds of the members of the Senate, any other academic unit that may be established hereafter | —one member; |
- (c) two members of the Board appointed by the Board from among its members appointed or elected under clauses 9 (1) (b), (c), (d) and (h);
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other a person elected as provided in section 25, who shall have voice in all matters but shall not vote on resolutions, recommendations or requests submitted to the Board where such matters do not directly involve the affiliated colleges as shall be determined by the Senate;
- (e) fifteen students of whom,

- (i) twelve shall be undergraduate students of the University and its affiliated colleges and be elected by such undergraduate students, and
- (ii) three shall be graduate students elected by the graduate students;
- (f) two members of the full-time administrative staff elected thereby; and
- (g) five persons from the general community, one of whom shall be active in or associated with the field of secondary school education, consisting of,
 - (i) the President of the Alumni Association of the University or a person designated by such President, and two members of the Association appointed by the Association, and
 - (ii) two persons appointed by the Senate.

Regulation to
vary number
of members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clauses (1) (b), (d), (e) and (f).

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Alternates

(4) Where the Senate grants leave of absence to any member, the Senate may provide, in such manner as it determines, for an alternate member who shall have all the powers of a member of the Senate.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *University of Western Ontario Act, 1987*.



Bill Pr37

*(Chapter Pr26
Statutes of Ontario, 1988)*

An Act respecting The University of Western Ontario

Mr. Reycraft

<i>1st Reading</i>	December 22nd, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr37

1987

An Act respecting The University of Western Ontario

Whereas The University of Western Ontario hereby applies for special legislation to amend the *University of Western Ontario Act, 1982*; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of the *University of Western Ontario Act, 1982*, being chapter 92, is repealed and the following substituted therefor:

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Conflict of interest

- (a) declare the nature and extent of the interest as soon as possible and no later than the meeting at which the matter is to be considered;
- (b) refrain from taking part in any discussion or vote in relation to the matter; and
- (c) withdraw from the meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting.

(2) A member of the Board who is an employee of the University or whose spouse is an employee of the University may take part in discussions and vote on all matters relating generally to the financial operation of the University, other than matters referred to in subsection (3) or matters in which the member's interest or the interest of the member's spouse is not the same or substantially the same as that of other employees of the University.

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Conflict of
interest
found by
Board

(4) Where the Board or a committee of the Board to which the Board has delegated authority is of the opinion that a conflict of interest exists that has not been declared, the Board or committee may declare, by a resolution carried by two-thirds of the members present at the meeting, that a conflict of interest exists and a member of the Board thus found to be in conflict shall,

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| (iv) Faculty of Science | —four members, |
| (v) Faculty of Social Science | —four members, |
| (vi) Faculty of Dentistry | —one member, |
| (vii) Faculty of Education | —one member, |
| (viii) Faculty of Engineering Science | —one member, |
| (ix) Faculty of Law | —one member, |
| (x) Faculty of Music | —one member, |
| (xi) Faculty of Nursing | —one member, |
| (xii) Faculty of Physical Education | —one member, |
| (xiii) School of Business Administration | —one member, |
| (xiv) School of Library and Information Science | —one member, |
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| (xviii) Subject to the approval of two-thirds of the members of the Senate, any other academic unit that may be established hereafter | —one member; |
- (c) two members of the Board appointed by the Board from among its members appointed or elected under clauses 9 (1) (b), (c), (d) and (h);
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other a person elected as provided in section 25, who shall have voice in all matters but shall not vote on resolutions, recommendations or requests submitted to the Board where such matters do not directly involve the affiliated colleges as shall be determined by the Senate;
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- (f) two members of the full-time administrative staff elected thereby; and
- (g) five persons from the general community, one of whom shall be active in or associated with the field of secondary school education, consisting of,
 - (i) the President of the Alumni Association of the University or a person designated by such President, and two members of the Association appointed by the Association, and
 - (ii) two persons appointed by the Senate.

Regulation to
vary number
of members

(2) Upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clauses (1) (b), (d), (e) and (f).

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Alternates

(4) Where the Senate grants leave of absence to any member, the Senate may provide, in such manner as it determines, for an alternate member who shall have all the powers of a member of the Senate.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *University of Western Ontario Act, 1988*.

Bill Pr38

An Act to revive Prow Yellowknife Gold Mines Ltd.

Mr. Kanter

1st Reading February 9th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr38

1988

**An Act to revive
Prow Yellowknife Gold Mines Ltd.**

Whereas Henri Galle hereby represents that Prow Yellowknife Gold Mines Ltd., herein called the Corporation, was incorporated by letters patent dated the 8th day of March, 1945; that the Minister of Consumer and Commercial Relations by order dated the 1st day of March, 1982 and made under the authority of subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act*, and declared that the Corporation be dissolved on the 1st day of March, 1982; that the applicant represents the estate of George F. Ross a former director of the Corporation; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 54R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Prow Yellowknife Gold Mines Ltd. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Prow Yellowknife Gold Mines Ltd. Act, 1988*.

Short title

Bill Pr38

*(Chapter Pr27
Statutes of Ontario, 1988)*

An Act to revive Prow Yellowknife Gold Mines Ltd.

Mr. Kanter

<i>1st Reading</i>	February 9th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr38

1988

**An Act to revive
Prow Yellowknife Gold Mines Ltd.**

Whereas Henri Galle hereby represents that Prow Yellowknife Gold Mines Ltd., herein called the Corporation, was incorporated by letters patent dated the 8th day of March, 1945; that the Minister of Consumer and Commercial Relations by order dated the 1st day of March, 1982 and made under the authority of subsection 242 (3) of the *Business Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with the *Corporations Tax Act*, and declared that the Corporation be dissolved on the 1st day of March, 1982; that the applicant represents the estate of George F. Ross a former director of the Corporation; that the default occurred by reason of inadvertence; that the applicant wishes to revive the Corporation in order to carry on active business; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 54

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Prow Yellowknife Gold Mines Ltd. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Prow Yellowknife Gold Mines Ltd. Act, 1988*.

Short title

Bill Pr40

An Act respecting the City of Trenton

Mrs. Fawcett

1st Reading April 12th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The Bill would dissolve The Board of Park Management and all the assets and liabilities of the board would be assumed by The Corporation of the City of Trenton.

Bill Pr40

1988

An Act respecting the City of Trenton

Whereas The Corporation of the City of Trenton, herein called the Corporation, hereby represents that by By-laws 222 and 223 of the Corporation enacted under *The Public Parks Act*, being chapter 20 of the Statutes of Ontario, 1883, and passed on the 7th day of July, 1884, The Board of Park Management, herein called the Board, was established; that the council of the Corporation considers it to be in the best interests of the citizens of the City of Trenton that the functions of the Board be placed under the control of the council of the Corporation as a department of the Corporation and that all assets and liabilities of the Board become assets and liabilities of the Corporation; and whereas the Corporation hereby applies for special legislation for such purposes;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The lands described in the Schedule shall, even though the title thereto was taken in the name of the Board rather than that of the Corporation, be deemed to have been acquired by the Board in compliance with the *Public Parks Act*.

Deeming provision

R.S.O. 1980, c. 417

2.—(1) The Board of Park Management of the City of Trenton is hereby dissolved and all of the powers, rights, duties and privileges conferred and imposed upon the Board and all of its undertakings, assets and liabilities, including the interest of the Board in the lands referred to in the Schedule, are hereby assumed by the Corporation without compensation.

Board dissolved, functions, etc., transferred to Corporation

(2) The Corporation shall, within thirty days of the date that this Act comes into force, cause notice of this Act in a form acceptable to the Land Registrar to be registered on the title to the lands referred to in the Schedule in the Registry Office for the Registry Division of Hastings (No. 21).

Registration on title

By-laws
continued

3. All by-laws of the Board shall continue as by-laws of the Corporation until amended or repealed.

Employees

4. The employees of the Board hereby become employees of the Corporation and all terms and conditions of employment respecting such employees, including, without limiting the generality of the foregoing, seniority, remuneration and other benefits in force, shall be assumed by the Corporation.

Council
deemed
board of
park
management
R.S.O. 1980,
c. 417

5. The council of the Corporation shall be deemed to be a board of park management for the purposes of the *Public Parks Act*.

By-laws
repealed

6. By-laws 222, 223 and 1107N of the Corporation are repealed.

Parks
committee

7.—(1) The council of the Corporation shall establish by by-law a committee which shall be called the Parks Committee within thirty days of the date upon which this Act comes into force.

Composition
of Parks
Committee

(2) The Parks Committee shall be composed of the mayor and seven members, not more than two of whom may be members of council.

Requirement
for
membership

(3) The members who are not on council shall be rate-payers or residents of the City of Trenton.

Term

(4) Members of the Parks Committee shall hold office until the expiration of the term of the council that appointed them and until their successors are appointed, and are eligible for re-appointment.

Vacancy

(5) Where a vacancy occurs, the council shall appoint a person for the balance of the term.

Deemed
vacancy

(6) A member of the Parks Committee who ceases to meet the requirement under subsection (3) is deemed to have vacated his or her position on the Parks Committee.

Notice

8.—(1) The council of the Corporation shall, before voting upon the sale, lease or other disposition or redesignation to any other use of any park land, publish notice of its intention once a week for at least two weeks in a newspaper in regular circulation in the City of Trenton.

Idem

(2) The notice referred to in subsection (1) shall,

- (a) clearly identify the property intended to be disposed of;
- (b) state the date of the meeting at which the council will deal with the matter of the intended disposition, which shall be not less than thirty days after the date of last publication of the notice;
- (c) state that any person wishing to do so may make written submissions to council as to whether or not the intended disposition should be made; and
- (d) state that the council of the Corporation, at the meeting scheduled to deal with the intended disposition, will afford to any person, whether or not that person has made written submissions, the opportunity to make oral submissions to council as to whether or not the intended disposition should be made.

9. Despite subsection 19 (2) of the *Public Parks Act*, Part XIX of the *Municipal Act* applies to a contravention of subsection 19 (1) of the *Public Parks Act* in the same manner as a contravention of a by-law of the Corporation.

Penalties
R.S.O. 1980,
cc. 417, 302

10. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

11. The short title of this Act is the *City of Trenton Act*, 1988.

Short title

SCHEDULE

1. That parcel of land known as Fraser Park (also known as Governor Simcoe Park), described as the land and premises in the City of Trenton in the County of Hastings being composed of Lot 12 and part of lots 13, 14 and 15 on the southeasterly side of Albert Street in the Town of Trenton according to Evans and Bolger's registered plan of Trenton and may be better known and described as follows:

Commencing at the intersection of the northerly limit of Quinte Street with the southeasterly limit of Albert Street;

Thence north 14° 41' east along the said southeasterly limit of Albert Street 229 feet and 9 inches, more or less, to the southwesterly limit of Albert Street produced southeasterly;

Thence south 45° 35' east along the said production of Albert Street southeasterly 176 feet, more or less, to within 10 feet of the centre line of the Railway Track to the Cold Storage Dock;

Thence southwesterly parallel with the centre line of said Railway Track and always at the distance of 10 feet measured at right angles

therefrom 68 feet, more or less, to the northerly limit of Quinte Street;

Thence south 71° 26' west along the said northerly limit of Quinte Street 149 feet and 9 inches, more or less, to the place of beginning, containing by admeasurement 46/100 of an acre, more or less.

2. That parcel of land known as Bayshore Park in the City of Trenton in the County of Hastings being water lot at the mouth of the River Trent, formerly in front of Lot 1 in Concession A and Lot 1 in the Township of Murray and more particularly described as follows:

That part of original water lot shown on drawing of November 24th, 1902 by John Evans, that lies north of the projection of the north line of Shuter Street, west of the original eastern boundary line, south of a line parallel to Quinte Street produced, southwest of Albert Street produced and east of the original high water line with the exception of the four lots indicated in the marked up print of the original drawing and described below.

The boundary lines of the property are described as follows:

Starting at the high water mark on the projection of the north line of Shuter Street, then along this line in an easterly direction 9 chains 60 links to the eastern boundary of the original lot, then north 5° 30' east 6 chains 70 links, more or less, then in a westerly direction parallel to Quinte Street produced 4 chains 70 links, more or less, to Albert Street produced, then in a north westerly direction 3 chains 50 links along Albert Street produced to the high water line shown on the original drawing, then in a southerly direction along the high water line to the point of beginning.

The exceptions are as follows:

That part of the lot 200 feet by 100 feet, transferred to Barr Registers and now owned by Branch 110 Canadian Legion, that lies southeast of the original high water line.

That part of the lot 300 feet by 214.5 feet owned by Public Works Department, Ottawa, since October 6th, 1950, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 200 feet by 214.5 feet owned by Public Works Department, Ottawa, since August 14th, 1952, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 250 feet by 214.5 feet owned by Public Works Department, Ottawa, since July 7th, 1953, upon part of which has been erected a concrete wharf.

3. That parcel of land known as Hannah Park and more particularly described as follows:

- i. That parcel of land in the City of Trenton in the County of Hastings, formerly in the Township of Murray, in the County of Northumberland and partly in the Town of Trenton and the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the

Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north 18° 34' west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north 18° 34' west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south 73° 48' west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south 77° 23' 30" west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3 aforesaid;

Thence south 17° 52' east along the last mentioned westerly limit 1,260.81 feet, more or less, to an iron bar planted in the northwesterly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13, east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner

or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being 8½ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- ii. That certain parcel of land in the City of Trenton in the County of Hastings, formerly located in the Township of Murray in the County of Northumberland and partly in the Town of Trenton in the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north 18° 34' west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north 18° 34' west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south 73° 48' west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south 77° 23' 30'' west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3;

Thence south 17° 52' east along the last mentioned westerly limit, 1,260.81 feet, more or less, to an iron bar planted in the northwesterly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north $18^{\circ} 34'$ west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.5 feet northwesterly therefrom measured at right angles thereto;

Thence north $48^{\circ} 13'$ east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north $18^{\circ} 34'$ west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north $73^{\circ} 51'$ east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands, or that trackage as subsequently relocated upon and across the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being $8\frac{1}{2}$ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- iii. That certain parcel or tract of land and premises in the City of Trenton in the County of Hastings, formerly in the Town of Trenton in the County of Hastings, and in the Township of Murray in the County of Northumberland and being composed of part of Lot 4 in Concession A of the Township of Murray which said parcel may be more particularly described as follows:

Premising that Dufferin Avenue as shown on Registered Plan No. 240 has a bearing of north $19^{\circ} 44'$ west and relating all bearings herein thereto.

Commencing at a point distant 377.67 feet measured north $22^{\circ} 07' 30''$ from a point distant 436.2 feet measured north $78^{\circ} 10'$ east from

a point in the westerly limit of said Lot 4 distant 2761.26 feet measured southerly along the westerly limit of said Lot 4 from the north west angle thereof;

Thence north $22^{\circ} 97' 30''$ east, 238.9 feet;

Thence north $68^{\circ} 27' 30''$ east, 504 feet to the easterly limit of the said Lot 4;

Thence south $18^{\circ} 51'$ east along the easterly limit of said Lot 4 a distance of 670 feet;

Thence south $37^{\circ} 02'$ west, 797.3 feet to a point;

Thence north $18^{\circ} 51'$ west, 913.1 feet to the place of beginning.

The parcel described herein being shown outlined in red on a plan of survey dated October 22, 1970 by W.J. Pattison, O.L.S., and contains 12.995 acres, more or less.

Bill Pr40

An Act respecting the City of Trenton

Mrs. Fawcett

1st Reading April 12th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The Bill allows certain corrections to be made to the titles of various lands held by The Board of Park Management of the City of Trenton.

Bill Pr40

1988

An Act respecting the City of Trenton

Whereas The Corporation of the City of Trenton, herein called the Corporation, hereby applies for special legislation for the purposes set out herein; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The lands described in the Schedule shall, even though the title thereto was taken in the name of the Board rather than that of the Corporation, be deemed to have been acquired by the Board in compliance with the *Public Parks Act*.

Deeming provision

R.S.O. 1980, c. 417

2. The Corporation shall, within thirty days of the date that this Act comes into force, cause notice of this Act in a form acceptable to the Land Registrar to be registered on the title to the lands referred to in the Schedule in the Registry Office for the Registry Division of Hastings (No. 21).

Registration on title

3. This Act comes into force on the day it receives Royal Assent.

Commencement

4. The short title of this Act is the *City of Trenton Act*, 1989.

Short title

SCHEDULE

1. That parcel of land known as Fraser Park (also known as Governor Simcoe Park), described as the land and premises in the City of Trenton in the County of Hastings being composed of Lot 12 and part of lots 13, 14 and 15 on the southeasterly side of Albert Street in the Town of Trenton according to Evans and Bolger's registered plan of Trenton and may be better known and described as follows:

Commencing at the intersection of the northerly limit of Quinte Street with the southeasterly limit of Albert Street;

Thence north $14^{\circ} 41'$ east along the said southeasterly limit of Albert Street 229 feet and 9 inches, more or less, to the southwesterly limit of Albert Street produced southeasterly;

Thence south $45^{\circ} 35'$ east along the said production of Albert Street southeasterly 176 feet, more or less, to within 10 feet of the centre line of the Railway Track to the Cold Storage Dock;

Thence southwesterly parallel with the centre line of said Railway Track and always at the distance of 10 feet measured at right angles therefrom 68 feet, more or less, to the northerly limit of Quinte Street;

Thence south $71^{\circ} 26'$ west along the said northerly limit of Quinte Street 149 feet and 9 inches, more or less, to the place of beginning, containing by admeasurement $46/100$ of an acre, more or less.

2. That parcel of land known as Bayshore Park in the City of Trenton in the County of Hastings being water lot at the mouth of the River Trent, formerly in front of Lot 1 in Concession A and Lot 1 in the Township of Murray and more particularly described as follows:

That part of original water lot shown on drawing of November 24th, 1902 by John Evans, that lies north of the projection of the north line of Shuter Street, west of the original eastern boundary line, south of a line parallel to Quinte Street produced, southwest of Albert Street produced and east of the original high water line with the exception of the four lots indicated in the marked up print of the original drawing and described below.

The boundary lines of the property are described as follows:

Starting at the high water mark on the projection of the north line of Shuter Street, then along this line in an easterly direction 9 chains 60 links to the eastern boundary of the original lot, then north $5^{\circ} 30'$ east 6 chains 70 links, more or less, then in a westerly direction parallel to Quinte Street produced 4 chains 70 links, more or less, to Albert Street produced, then in a north westerly direction 3 chains 50 links along Albert Street produced to the high water line shown on the original drawing, then in a southerly direction along the high water line to the point of beginning.

The exceptions are as follows:

That part of the lot 200 feet by 100 feet, transferred to Barr Registers and now owned by Branch 110 Canadian Legion, that lies southeast of the original high water line.

That part of the lot 300 feet by 214.5 feet owned by Public Works Department, Ottawa, since October 6th, 1950, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 200 feet by 214.5 feet owned by Public Works Department, Ottawa, since August 14th, 1952, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 250 feet by 214.5 feet owned by Public Works Department, Ottawa, since July 7th, 1953, upon part of which has been erected a concrete wharf.

3. That parcel of land known as Hannah Park and more particularly described as follows:

- i. That parcel of land in the City of Trenton in the County of Hastings, formerly in the Township of Murray, in the County of Northumberland and partly in the Town of Trenton and the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north 18° 34' west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north 18° 34' west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south 73° 48' west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south 77° 23' 30" west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3 aforesaid;

Thence south 17° 52' east along the last mentioned westerly limit 1,260.81 feet, more or less, to an iron bar planted in the northwesterly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13', east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being $8\frac{1}{2}$ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- ii. That certain parcel of land in the City of Trenton in the County of Hastings, formerly located in the Township of Murray in the County of Northumberland and partly in the Town of Trenton in the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north $18^{\circ} 34'$ west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north $18^{\circ} 34'$ west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south $73^{\circ} 48'$ west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south $77^{\circ} 23' 30''$ west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3;

Thence south $17^{\circ} 52'$ east along the last mentioned westerly limit, 1,260.81 feet, more or less, to an iron bar planted in the northwest-

erly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet north-westerly therefrom measured at right angles thereto;

Thence north 48° 13' east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.5 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands, or that trackage as subsequently relocated upon and across the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being 8½ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- iii. That certain parcel or tract of land and premises in the City of Trenton in the County of Hastings, formerly in the Town of Trenton in the County of Hastings, and in the Township of Murray in the County of Northumberland and being composed of part of Lot 4 in

Concession A of the Township of Murray which said parcel may be more particularly described as follows:

Premising that Dufferin Avenue as shown on Registered Plan No. 240 has a bearing of north $19^{\circ} 44'$ west and relating all bearings herein thereto.

Commencing at a point distant 377.67 feet measured north $22^{\circ} 07' 30''$ from a point distant 436.2 feet measured north $78^{\circ} 10'$ east from a point in the westerly limit of said Lot 4 distant 2761.26 feet measured southerly along the westerly limit of said Lot 4 from the north west angle thereof;

Thence north $22^{\circ} 97' 30''$ east, 238.9 feet;

Thence north $68^{\circ} 27' 30''$ east, 504 feet to the easterly limit of the said Lot 4;

Thence south $18^{\circ} 51'$ east along the easterly limit of said Lot 4 a distance of 670 feet;

Thence south $37^{\circ} 02'$ west, 797.3 feet to a point;

Thence north $18^{\circ} 51'$ west, 913.1 feet to the place of beginning.

The parcel described herein being shown outlined in red on a plan of survey dated October 22, 1970 by W.J. Pattison, O.L.S., and contains 12.995 acres, more or less.

Bill Pr40

*(Chapter Pr3
Statutes of Ontario, 1989)*

An Act respecting the City of Trenton

Mrs. Fawcett

<i>1st Reading</i>	April 12th, 1988
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989



Bill Pr40

1988

An Act respecting the City of Trenton

Whereas The Corporation of the City of Trenton, herein called the Corporation, hereby applies for special legislation for the purposes set out herein; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The lands described in the Schedule shall, even though the title thereto was taken in the name of the Board rather than that of the Corporation, be deemed to have been acquired by the Board in compliance with the *Public Parks Act*.

Deeming provision

R.S.O. 1980,
c. 417

2. The Corporation shall, within thirty days of the date that this Act comes into force, cause notice of this Act in a form acceptable to the Land Registrar to be registered on the title to the lands referred to in the Schedule in the Registry Office for the Registry Division of Hastings (No. 21).

Registration on title

3. This Act comes into force on the day it receives Royal Assent.

Commencement

4. The short title of this Act is the *City of Trenton Act*, 1989.

Short title

SCHEDULE

1. That parcel of land known as Fraser Park (also known as Governor Simcoe Park), described as the land and premises in the City of Trenton in the County of Hastings being composed of Lot 12 and part of lots 13, 14 and 15 on the southeasterly side of Albert Street in the Town of Trenton according to Evans and Bolger's registered plan of Trenton and may be better known and described as follows:

Commencing at the intersection of the northerly limit of Quinte Street with the southeasterly limit of Albert Street;

Thence north $14^{\circ} 41'$ east along the said southeasterly limit of Albert Street 229 feet and 9 inches, more or less, to the southwesterly limit of Albert Street produced southeasterly;

Thence south $45^{\circ} 35'$ east along the said production of Albert Street southeasterly 176 feet, more or less, to within 10 feet of the centre line of the Railway Track to the Cold Storage Dock;

Thence southwesterly parallel with the centre line of said Railway Track and always at the distance of 10 feet measured at right angles therefrom 68 feet, more or less, to the northerly limit of Quinte Street;

Thence south $71^{\circ} 26'$ west along the said northerly limit of Quinte Street 149 feet and 9 inches, more or less, to the place of beginning, containing by admeasurement $46/100$ of an acre, more or less.

2. That parcel of land known as Bayshore Park in the City of Trenton in the County of Hastings being water lot at the mouth of the River Trent, formerly in front of Lot 1 in Concession A and Lot 1 in the Township of Murray and more particularly described as follows:

That part of original water lot shown on drawing of November 24th, 1902 by John Evans, that lies north of the projection of the north line of Shuter Street, west of the original eastern boundary line, south of a line parallel to Quinte Street produced, southwest of Albert Street produced and east of the original high water line with the exception of the four lots indicated in the marked up print of the original drawing and described below.

The boundary lines of the property are described as follows:

Starting at the high water mark on the projection of the north line of Shuter Street, then along this line in an easterly direction 9 chains 60 links to the eastern boundary of the original lot, then north $5^{\circ} 30'$ east 6 chains 70 links, more or less, then in a westerly direction parallel to Quinte Street produced 4 chains 70 links, more or less, to Albert Street produced, then in a north westerly direction 3 chains 50 links along Albert Street produced to the high water line shown on the original drawing, then in a southerly direction along the high water line to the point of beginning.

The exceptions are as follows:

That part of the lot 200 feet by 100 feet, transferred to Barr Registers and now owned by Branch 110 Canadian Legion, that lies southeast of the original high water line.

That part of the lot 300 feet by 214.5 feet owned by Public Works Department, Ottawa, since October 6th, 1950, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 200 feet by 214.5 feet owned by Public Works Department, Ottawa, since August 14th, 1952, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 250 feet by 214.5 feet owned by Public Works Department, Ottawa, since July 7th, 1953, upon part of which has been erected a concrete wharf.

3. That parcel of land known as Hannah Park and more particularly described as follows:

- i. That parcel of land in the City of Trenton in the County of Hastings, formerly in the Township of Murray, in the County of Northumberland and partly in the Town of Trenton and the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north $18^{\circ} 34'$ west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north $18^{\circ} 34'$ west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south $73^{\circ} 48'$ west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south $77^{\circ} 23' 30''$ west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3 aforesaid;

Thence south $17^{\circ} 52'$ east along the last mentioned westerly limit 1,260.81 feet, more or less, to an iron bar planted in the northwesterly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north $48^{\circ} 13'$ east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north $18^{\circ} 34'$ west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.50 feet northwesterly therefrom measured at right angles thereto;

Thence north $48^{\circ} 13'$ east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north $18^{\circ} 34'$ west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north $73^{\circ} 51'$ east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being $8\frac{1}{2}$ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- ii. That certain parcel of land in the City of Trenton in the County of Hastings, formerly located in the Township of Murray in the County of Northumberland and partly in the Town of Trenton in the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north $18^{\circ} 34'$ west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north $18^{\circ} 34'$ west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south $73^{\circ} 48'$ west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south $77^{\circ} 23' 30''$ west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3;

Thence south $17^{\circ} 52'$ east along the last mentioned westerly limit, 1,260.81 feet, more or less, to an iron bar planted in the northwest-

erly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.5 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands, or that trackage as subsequently relocated upon and across the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being 8½ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- iii. That certain parcel or tract of land and premises in the City of Trenton in the County of Hastings, formerly in the Town of Trenton in the County of Hastings, and in the Township of Murray in the County of Northumberland and being composed of part of Lot 4 in

Concession A of the Township of Murray which said parcel may be more particularly described as follows:

Premising that Dufferin Avenue as shown on Registered Plan No. 240 has a bearing of north $19^{\circ} 44'$ west and relating all bearings herein thereto.

Commencing at a point distant 377.67 feet measured north $22^{\circ} 07' 30''$ from a point distant 436.2 feet measured north $78^{\circ} 10'$ east from a point in the westerly limit of said Lot 4 distant 2761.26 feet measured southerly along the westerly limit of said Lot 4 from the north west angle thereof;

Thence north $22^{\circ} 97' 30''$ east, 238.9 feet;

Thence north $68^{\circ} 27' 30''$ east, 504 feet to the easterly limit of the said Lot 4;

Thence south $18^{\circ} 51'$ east along the easterly limit of said Lot 4 a distance of 670 feet;

Thence south $37^{\circ} 02'$ west, 797.3 feet to a point;

Thence north $18^{\circ} 51'$ west, 913.1 feet to the place of beginning.

The parcel described herein being shown outlined in red on a plan of survey dated October 22, 1970 by W.J. Pattison, O.L.S., and contains 12.995 acres, more or less.

Bill Pr41

An Act respecting the County of Simcoe

Mr. Black

1st Reading June 8th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is to alter the composition of County council so that the deputy reeve of a local municipality does not become a member of the council unless the municipality has a minimum of 9,750 municipal electors (instead of the current 7,500). The number of votes that a reeve or deputy reeve is entitled to as a member of council is still based on the size of the municipality but the reeve and deputy reeve are entitled to multiple votes at a lesser population level than currently exists.

Bill Pr41

1988

An Act respecting the County of Simcoe

Whereas The Corporation of the County of Simcoe, hereby Preamble
applies for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the appli-
cation;

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. In this Act,

Definitions

“council” means the council of The Corporation of the
County of Simcoe;

“local municipality” means a town, village or township in the
County of Simcoe that is not separated therefrom for
municipal purposes;

“municipal electors” means the persons entitled to vote at a
municipal election.

2. Despite sections 27, 28 and 29 of the *Municipal Act*,
membership on the council and the votes of such members are
as follows:

Composition
of council,
voting
R.S.O. 1980,
c. 302

1. If a local municipality has less than 3,250 municipal
electors, the reeve only is a member of the council
and has one vote.
2. If a local municipality has at least 3,250 municipal
electors and not more than 6,500 municipal elec-
tors, the reeve only is a member of the council and
has two votes.
3. If a local municipality has more than 6,500 munici-
pal electors and less than 9,750 municipal electors,
the reeve only is a member of the council and has
three votes.

4. If a local municipality has at least 9,750 municipal electors and not more than 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has one vote.
5. If a local municipality has at least 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has two votes.

Repeal

3. *The County of Simcoe Act, 1972*, being chapter 194 and *The County of Simcoe Act, 1979*, being chapter 139, are repealed.

Commence-
ment

4. This Act comes into force on the 1st day of December, 1988.

Short title

5. The short title of this Act is the *County of Simcoe Act, 1988*.

Bill Pr41

An Act respecting the County of Simcoe

Mr. Black

1st Reading June 8th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is to alter the composition of County council so that the deputy reeve of a local municipality does not become a member of the council unless the municipality has a minimum of 9,750 municipal electors (instead of the current 7,500). The number of votes that a reeve or deputy reeve is entitled to as a member of council is still based on the size of the municipality but the reeve and deputy reeve are entitled to multiple votes at a lesser population level than currently exists.

Bill Pr41

1988

An Act respecting the County of Simcoe

Whereas The Corporation of the County of Simcoe, hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“council” means the council of The Corporation of the County of Simcoe;

“local municipality” means a town, village or township in the County of Simcoe that is not separated therefrom for municipal purposes;

“municipal electors” means the persons entitled to vote at a municipal election.

2.—(1) Despite sections 27, 28 and 29 of the *Municipal Act*, membership on the council and the votes of such members are as follows:

Composition
of council,
voting
R.S.O. 1980,
c. 302

1. If a local municipality has less than 3,250 municipal electors, the reeve only is a member of the council and has one vote.
2. If a local municipality has at least 3,250 municipal electors and not more than 6,500 municipal electors, the reeve only is a member of the council and has two votes.
3. If a local municipality has more than 6,500 municipal electors and less than 9,750 municipal electors, the reeve only is a member of the council and has three votes.

4. If a local municipality has at least 9,750 municipal electors and not more than 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has one vote.
5. If a local municipality has at least 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has two votes.

▼
Voting in
committee

(2) The council may by by-law provide that a member who in council has one or two additional votes by virtue of subsection (1) shall as a member of any committee have the same number of additional vote or votes. ▲

Repeals

3. *The County of Simcoe Act, 1972*, being chapter 194 and *The County of Simcoe Act, 1979*, being chapter 139, are repealed.

Commence-
ment

▼
4.—(1) This Act comes into force on the 1st day of December, 1988.

Transition
R.S.O. 1980,
c. 308

▼
(2) Despite subsection (1), the regular election to be held in 1988 under the *Municipal Elections Act* shall be conducted as if this Act were in force. ▲

Short title

5. The short title of this Act is the *County of Simcoe Act, 1988*.

Bill Pr41

*(Chapter Pr36
Statutes of Ontario, 1988)*

An Act respecting the County of Simcoe

Mr. Black

<i>1st Reading</i>	June 8th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr41

1988

An Act respecting the County of Simcoe

Whereas The Corporation of the County of Simcoe, hereby applies for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“council” means the council of The Corporation of the County of Simcoe;

“local municipality” means a town, village or township in the County of Simcoe that is not separated therefrom for municipal purposes;

“municipal electors” means the persons entitled to vote at a municipal election.

2.—(1) Despite sections 27, 28 and 29 of the *Municipal Act*, membership on the council and the votes of such members are as follows:

Composition
of council,
voting
R.S.O. 1980,
c. 302

1. If a local municipality has less than 3,250 municipal electors, the reeve only is a member of the council and has one vote.
2. If a local municipality has at least 3,250 municipal electors and not more than 6,500 municipal electors, the reeve only is a member of the council and has two votes.
3. If a local municipality has more than 6,500 municipal electors and less than 9,750 municipal electors, the reeve only is a member of the council and has three votes.

4. If a local municipality has at least 9,750 municipal electors and not more than 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has one vote.
5. If a local municipality has at least 13,000 municipal electors, the reeve and deputy reeve are members of the council and the reeve has three votes and the deputy reeve has two votes.

Voting in
committee

(2) The council may by by-law provide that a member who in council has one or two additional votes by virtue of subsection (1) shall as a member of any committee have the same number of additional vote or votes.

Repeals

3. *The County of Simcoe Act, 1972*, being chapter 194 and *The County of Simcoe Act, 1979*, being chapter 139, are repealed.

Commence-
ment

4.—(1) This Act comes into force on the 1st day of December, 1988.

Transition
R.S.O. 1980,
c. 308

(2) Despite subsection (1), the regular election to be held in 1988 under the *Municipal Elections Act* shall be conducted as if this Act were in force.

Short title

5. The short title of this Act is the *County of Simcoe Act, 1988*.

Bill Pr42

An Act to revive Rockton Winter Club Inc.

Mr. Elliot

1st Reading June 29th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr42

1988

An Act to revive Rockton Winter Club Inc.

Whereas Donna Fochuk, Susan Rodgers, Meryle Frketich, Jane Vince, Janet Hunter, Debra Whatmough, Sarah Tucker, Joyce McGeachy, Anne Donkers, Fred Cooper, Linda Posthuma and Ruth Passant hereby represent that Rockton Winter Club Inc., herein called the Corporation, was incorporated by letters patent dated the 6th day of December, 1977; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are members of the executive council of the on-going organization carried on in the name of the Corporation; that notice of default, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 95

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Rockton Winter Club Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Rockton Winter Club Inc. Act, 1988*.

Bill Pr42

*(Chapter Pr51
Statutes of Ontario, 1988)*

An Act to revive Rockton Winter Club Inc.

Mr. Elliot

<i>1st Reading</i>	June 29th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr42

1988

An Act to revive Rockton Winter Club Inc.

Whereas Donna Fochuk, Susan Rodgers, Meryle Frketich, Jane Vince, Janet Hunter, Debra Whatmough, Sarah Tucker, Joyce McGeachy, Anne Donkers, Fred Cooper, Linda Posthuma and Ruth Passant hereby represent that Rockton Winter Club Inc., herein called the Corporation, was incorporated by letters patent dated the 6th day of December, 1977; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, cancelled the certificate of incorporation of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants are members of the executive council of the on-going organization carried on in the name of the Corporation; that notice of default, although sent to each of the applicants as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 95

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Rockton Winter Club Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Rockton Winter Club Inc. Act, 1988*.

Bill Pr43

**An Act to revive
I. Gosselin & F. Camiré Developments Limited
and to change its name to
Northern Frontier Develop. Ltd.**

Mr. Kozyra

1st Reading February 2nd, 1989

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr43

1989

**An Act to revive
I. Gosselin & F. Camiré Developments Limited
and to change its name to
Northern Frontier Develop. Ltd.**

Whereas Irenée Gosselin and Janice Gosselin hereby Preamble
represent that I. Gosselin & F. Camiré Developments
Limited, herein called the Corporation, was incorporated by
letters patent dated the 8th day of June, 1977; that on the
11th day of April, 1978, the Corporation filed articles of
dissolution and the Minister of Consumer and Commercial
Relations issued a certificate of dissolution under section 249
of *The Business Corporations Act*, being chapter 53 of the
Revised Statutes of Ontario, 1970; that on the 25th day of
September, 1980, articles of amendment were filed and the
Minister of Consumer and Commercial Relations issued a
certificate of amendment purporting to change the name of
the Corporation to Northern Frontier Develop. Ltd.; that
Irenée Gosselin and François Camiré were the directors of the
Corporation and François Camiré was the sole shareholder of
the Corporation at the time of its dissolution; that on the 26th
day of September, 1980, François Camiré purported to
transfer all of the issued shares of the Corporation to the
applicants; that active business has been carried on in the
name of Northern Frontier Develop. Ltd. including the
acquisition of certain interests in real property; and whereas
the applicants hereby apply for special legislation reviving the
Corporation and changing its name to Northern Frontier
Develop. Ltd.; and whereas it is expedient to grant the
application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. I. Gosselin & F. Camiré Developments Limited is Corporation
revived
hereby revived and is, subject to any rights acquired by any
person after its dissolution, hereby restored to its legal position,
including all its property, rights, privileges and franchises
and subject to all its liabilities, contracts, disabilities and

debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Name
changed

2. The name of the Corporation shall be deemed to have been changed to Northern Frontier Develop. Ltd. on the 25th day of September, 1980.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Northern Frontier Develop. Ltd. Act, 1989*.

Bill Pr43

*(Chapter Pr4
Statutes of Ontario, 1989)*

**An Act to revive
I. Gosselin & F. Camiré Developments Limited
and to change its name to
Northern Frontier Develop. Ltd.**

Mr. Kozyra

<i>1st Reading</i>	February 2nd, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr43

1989

**An Act to revive
I. Gosselin & F. Camiré Developments Limited
and to change its name to
Northern Frontier Develop. Ltd.**

Whereas Irenée Gosselin and Janice Gosselin hereby represent that I. Gosselin & F. Camiré Developments Limited, herein called the Corporation, was incorporated by letters patent dated the 8th day of June, 1977; that on the 11th day of April, 1978, the Corporation filed articles of dissolution and the Minister of Consumer and Commercial Relations issued a certificate of dissolution under section 249 of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970; that on the 25th day of September, 1980, articles of amendment were filed and the Minister of Consumer and Commercial Relations issued a certificate of amendment purporting to change the name of the Corporation to Northern Frontier Develop. Ltd.; that Irenée Gosselin and François Camiré were the directors of the Corporation and François Camiré was the sole shareholder of the Corporation at the time of its dissolution; that on the 26th day of September, 1980, François Camiré purported to transfer all of the issued shares of the Corporation to the applicants; that active business has been carried on in the name of Northern Frontier Develop. Ltd. including the acquisition of certain interests in real property; and whereas the applicants hereby apply for special legislation reviving the Corporation and changing its name to Northern Frontier Develop. Ltd.; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. I. Gosselin & F. Camiré Developments Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and

Corporation
revived

debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Name
changed

2. The name of the Corporation shall be deemed to have been changed to Northern Frontier Develop. Ltd. on the 25th day of September, 1980.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Northern Frontier Develop. Ltd. Act, 1989*.

Bill Pr44

An Act to revive Moravian Temple Corporation

Mr. Reycraft

1st Reading June 13th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr44

1988

An Act to revive Moravian Temple Corporation

Whereas Dick Fitzsimmons and Norman Bell hereby represent that Moravian Temple Corporation, herein called the Corporation, was incorporated by letters patent dated the 1st day of November, 1972; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, cancelled the certificate of incorporation of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that although notice of default was sent to each of the directors of the Corporation, through inadvertence no action was taken to revive the Corporation until more than two years after the date thereof; that Norman Bell was a director of the Corporation at the time of its dissolution and is now secretary of the Corporation; that Dick Fitzsimmons is the current president of the Corporation; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Moravian Temple Corporation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Moravian Temple Corporation Act, 1988*.

Short title

Bill Pr44

An Act to revive Moravian Temple Corporation

Mr. Reycraft

1st Reading June 13th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr44

1988

An Act to revive Moravian Temple Corporation

Whereas Dick Fitzsimmons and Norman Bell hereby represent that Moravian Temple Corporation, herein called the Corporation, was incorporated by letters patent dated the 1st day of November, 1972; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that although notice of default was sent to each of the directors of the Corporation, through inadvertence no action was taken to revive the Corporation until more than two years after the date thereof; that Norman Bell was a director of the Corporation at the time of its dissolution and is now secretary of the Corporation; that Dick Fitzsimmons is the current president of the Corporation; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Moravian Temple Corporation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Moravian Temple Corporation Act, 1988*.

Short title



Bill Pr44

*(Chapter Pr37
Statutes of Ontario, 1988)*

An Act to revive Moravian Temple Corporation

Mr. Reycraft

<i>1st Reading</i>	June 13th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr44

1988

An Act to revive Moravian Temple Corporation

Whereas Dick Fitzsimmons and Norman Bell hereby represent that Moravian Temple Corporation, herein called the Corporation, was incorporated by letters patent dated the 1st day of November, 1972; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act* and declared the Corporation to be dissolved on the 8th day of September, 1982; that although notice of default was sent to each of the directors of the Corporation, through inadvertence no action was taken to revive the Corporation until more than two years after the date thereof; that Norman Bell was a director of the Corporation at the time of its dissolution and is now secretary of the Corporation; that Dick Fitzsimmons is the current president of the Corporation; that the Corporation at the time of its dissolution was carrying on its activities and has continued to carry on its activities in the name of the Corporation since the time of its dissolution; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 96

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Moravian Temple Corporation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Moravian Temple Corporation Act, 1988*.

Short title



Bill Pr45

An Act respecting the Owen Sound Young Men's and Young Women's Christian Association

Mr. Lipsett

1st Reading May 26th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr45

1988

**An Act respecting the Owen Sound Young Men's and
Young Women's Christian Association**

Whereas the Owen Sound Young Men's and Young Women's Christian Association, herein called the Corporation, hereby represents that it was incorporated by letters patent dated the 7th day of November, 1966; that the object of the Corporation is the improvement of the spiritual, moral, social, educational and physical life of its members and others; that the Corporation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property of the Corporation situate in the City of Owen Sound from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Owen Sound may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Corporation, being the land and premises described in the Schedule, together with any future land acquired by the Corporation for the purposes set out in the preamble, so long as the land is owned, occupied and used solely for the purposes of the Corporation.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

By-law may
be retroactive

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Owen Sound Young Men's and Young Women's Christian Association Act, 1988*.

SCHEDULE

In the City of Owen Sound, in the County of Grey, and being composed as follows:

Firstly: That part of Lot 24 on the west side of Poulett Street, in the City of Owen Sound, described as follows:

Commencing at the northeasterly angle of Lot 24;

Thence westerly along the northerly limit of Lot 24, a distance of 159.71 feet, more or less, to the westerly limit of said Lot;

Thence southerly along the westerly limit of Lot 24, a distance of 35.13 feet;

Thence easterly and parallel with the northerly limit of Lot 24, a distance of 156.68 feet, more or less, to the easterly limit of the said Lot;

Thence northerly along the said limit, a distance of 35 feet to the point of commencement.

Secondly: That certain parcel or tract of land in the said City of Owen Sound, and being composed of part of the river frontage on the east side of the River Sydenham, lying between the rear of the town lots fronting on the west side of Poulett Street from Lot No. 1 to Lot No. 24 and shown as Water Street on the Crown Plan of the Sydenham Townplot, dated February 1, 1846, by Charles Rankin, P.L.S., said part being more particularly described as follows:

Commencing at the northwesterly angle of Lot 24 on the west side of Poulett Street;

Thence southerly along the westerly limit of Lot 24 on the west side of Poulett Street, a distance of 35.13 feet;

Thence westerly and parallel with the northerly limit of Lot 24, a distance of 140 feet, more or less, to the easterly high water line of the Sydenham River;

Thence northwesterly, along that high water line, a distance of 40 feet, more or less, to a point where the northerly limit of Lot 24 on the west side of Poulett Street produced westerly intersects the easterly high water line of the Sydenham River;

Thence easterly along said produced line to the point of commencement.

Together with and subject to a right-of-way in common with all other persons having a like right over the said river frontage which may be more particularly described as follows:

Commencing at the southwesterly angle of Lot 24 on the west side of Poulett Street;

Thence northerly along the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the northwesterly angle of Lot 24;

Thence westerly along the production westerly of the northerly limit of Lot 24, a distance of 30 feet;

Thence southerly and parallel with the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the production westerly of the northerly limit of Campbell Street;

Thence easterly along the last mentioned production, a distance of 30 feet, more or less, to the point of commencement, until such time as Water Street shall be opened.

Which lands are the same lands previously described as instrument No. 257054;

And Lot 23, west side of Poulett Street, City of Owen Sound, County of Grey; and

The southerly 70 feet of even width throughout of Lot 22 on the west side of Poulett Street subject to a right-of-way over the northerly 5 feet by a depth of 100 feet of the lands herein described and together with a right-of-way over the southerly 5 feet by a depth of 100 feet of the lands adjoining thereto immediately to the north.

Which lands are the same lands previously described in instrument No. 98508.

Bill Pr45

An Act respecting the Owen Sound Young Men's and Young Women's Christian Association

Mr. Lipsett

1st Reading May 26th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr45

1988

An Act respecting the Owen Sound Young Men's and Young Women's Christian Association

Whereas the Owen Sound Young Men's and Young Women's Christian Association, herein called the Corporation, hereby represents that it was incorporated by letters patent dated the 7th day of November, 1966; that the object of the Corporation is the improvement of the spiritual, moral, social, educational and physical life of its members and others; that the Corporation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property of the Corporation situate in the City of Owen Sound from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Owen Sound may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Corporation, being the land and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Corporation.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

By-law may
be retroactive

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Owen Sound Young Men's and Young Women's Christian Association Act, 1988*.

SCHEDULE

In the City of Owen Sound, in the County of Grey, and being composed as follows:

Firstly: That part of Lot 24 on the west side of Poulett Street, in the City of Owen Sound, described as follows:

Commencing at the northeasterly angle of Lot 24;

Thence westerly along the northerly limit of Lot 24, a distance of 159.71 feet, more or less, to the westerly limit of said Lot;

Thence southerly along the westerly limit of Lot 24, a distance of 35.13 feet;

Thence easterly and parallel with the northerly limit of Lot 24, a distance of 156.68 feet, more or less, to the easterly limit of the said Lot;

Thence northerly along the said limit, a distance of 35 feet to the point of commencement.

Secondly: That certain parcel or tract of land in the said City of Owen Sound, and being composed of part of the river frontage on the east side of the River Sydenham, lying between the rear of the town lots fronting on the west side of Poulett Street from Lot No. 1 to Lot No. 24 and shown as Water Street on the Crown Plan of the Sydenham Townplot, dated February 1, 1846, by Charles Rankin, P.L.S., said part being more particularly described as follows:

Commencing at the northwesterly angle of Lot 24 on the west side of Poulett Street;

Thence southerly along the westerly limit of Lot 24 on the west side of Poulett Street, a distance of 35.13 feet;

Thence westerly and parallel with the northerly limit of Lot 24, a distance of 140 feet, more or less, to the easterly high water line of the Sydenham River;

Thence northwesterly, along that high water line, a distance of 40 feet, more or less, to a point where the northerly limit of Lot 24 on the west side of Poulett Street produced westerly intersects the easterly high water line of the Sydenham River;

Thence easterly along said produced line to the point of commencement.

Together with and subject to a right-of-way in common with all other persons having a like right over the said river frontage which may be more particularly described as follows:

Commencing at the southwesterly angle of Lot 24 on the west side of Poulett Street;

Thence northerly along the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the northwesterly angle of Lot 24;

Thence westerly along the production westerly of the northerly limit of Lot 24, a distance of 30 feet;

Thence southerly and parallel with the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the production westerly of the northerly limit of Campbell Street;

Thence easterly along the last mentioned production, a distance of 30 feet, more or less, to the point of commencement, until such time as Water Street shall be opened.

Which lands are the same lands previously described as instrument No. 257054;

And Lot 23, west side of Poulett Street, City of Owen Sound, County of Grey; and

The southerly 70 feet of even width throughout of Lot 22 on the west side of Poulett Street subject to a right-of-way over the northerly 5 feet by a depth of 100 feet of the lands herein described and together with a right-of-way over the southerly 5 feet by a depth of 100 feet of the lands adjoining thereto immediately to the north.

Which lands are the same lands previously described in instrument No. 98508.



Bill Pr45

*(Chapter Pr38
Statutes of Ontario, 1988)*

An Act respecting the Owen Sound Young Men's and Young Women's Christian Association

Mr. Lipsett

<i>1st Reading</i>	May 26th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr45

1988

**An Act respecting the Owen Sound Young Men's and
Young Women's Christian Association**

Whereas the Owen Sound Young Men's and Young Women's Christian Association, herein called the Corporation, hereby represents that it was incorporated by letters patent dated the 7th day of November, 1966; that the object of the Corporation is the improvement of the spiritual, moral, social, educational and physical life of its members and others; that the Corporation is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property of the Corporation situate in the City of Owen Sound from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Owen Sound may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Corporation, being the land and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Corporation.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

By-law may
be retroactive

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Owen Sound Young Men's and Young Women's Christian Association Act, 1988*.

SCHEDULE

In the City of Owen Sound, in the County of Grey, and being composed as follows:

Firstly: That part of Lot 24 on the west side of Poulett Street, in the City of Owen Sound, described as follows:

Commencing at the northeasterly angle of Lot 24;

Thence westerly along the northerly limit of Lot 24, a distance of 159.71 feet, more or less, to the westerly limit of said Lot;

Thence southerly along the westerly limit of Lot 24, a distance of 35.13 feet;

Thence easterly and parallel with the northerly limit of Lot 24, a distance of 156.68 feet, more or less, to the easterly limit of the said Lot;

Thence northerly along the said limit, a distance of 35 feet to the point of commencement.

Secondly: That certain parcel or tract of land in the said City of Owen Sound, and being composed of part of the river frontage on the east side of the River Sydenham, lying between the rear of the town lots fronting on the west side of Poulett Street from Lot No. 1 to Lot No. 24 and shown as Water Street on the Crown Plan of the Sydenham Townplot, dated February 1, 1846, by Charles Rankin, P.L.S., said part being more particularly described as follows:

Commencing at the northwesterly angle of Lot 24 on the west side of Poulett Street;

Thence southerly along the westerly limit of Lot 24 on the west side of Poulett Street, a distance of 35.13 feet;

Thence westerly and parallel with the northerly limit of Lot 24, a distance of 140 feet, more or less, to the easterly high water line of the Sydenham River;

Thence northwesterly, along that high water line, a distance of 40 feet, more or less, to a point where the northerly limit of Lot 24 on the west side of Poulett Street produced westerly intersects the easterly high water line of the Sydenham River;

Thence easterly along said produced line to the point of commencement.

Together with and subject to a right-of-way in common with all other persons having a like right over the said river frontage which may be more particularly described as follows:

Commencing at the southwesterly angle of Lot 24 on the west side of Poulett Street;

Thence northerly along the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the northwesterly angle of Lot 24;

Thence westerly along the production westerly of the northerly limit of Lot 24, a distance of 30 feet;

Thence southerly and parallel with the westerly limit of Lot 24, a distance of 106.46 feet, more or less, to the production westerly of the northerly limit of Campbell Street;

Thence easterly along the last mentioned production, a distance of 30 feet, more or less, to the point of commencement, until such time as Water Street shall be opened.

Which lands are the same lands previously described as instrument No. 257054;

And Lot 23, west side of Poulett Street, City of Owen Sound, County of Grey; and

The southerly 70 feet of even width throughout of Lot 22 on the west side of Poulett Street subject to a right-of-way over the northerly 5 feet by a depth of 100 feet of the lands herein described and together with a right-of-way over the southerly 5 feet by a depth of 100 feet of the lands adjoining thereto immediately to the north.

Which lands are the same lands previously described in instrument No. 98508.



Bill Pr46

An Act respecting The Brockville Rowing Club Incorporated

Mr. Runciman

1st Reading May 24th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr46

1988

An Act respecting The Brockville Rowing Club Incorporated

Whereas The Brockville Rowing Club Incorporated, herein called the Club, hereby represents that it was incorporated by letters patent dated the 5th day of February, 1971 as amended by supplementary letters patent dated the 10th day of December, 1986; that the Club is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Club are to promote rowing, aquatic sports and recreational facilities to the community at large and to establish, maintain and conduct a club for the accommodation, recreation and convenience of the community at large; that it is desirable that provision be made for exempting the real property of the Club situate in the City of Brockville in the County of Leeds more particularly described in the Schedule hereto, from taxation for municipal and school purposes, other than local improvement rate; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Brockville may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Club, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Club.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1983.

Retroactive
by-law

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Brockville Rowing Club Incorporated Act, 1988*.

SCHEDULE

That parcel of land and premises situate in the City of Brockville, in the County of Leeds, being composed of City lots 48 and 49 in Block 10 as laid down on the map of the said City made by Willis Chipman, P.L.S., filed in the Registry Office for the said County of Leeds on July 2nd, 1984 and also the Water Lots in the front of the said lots 48 and 49.

Bill Pr46

An Act respecting The Brockville Rowing Club Incorporated

Mr. Runciman

1st Reading May 24th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr46

1988

An Act respecting The Brockville Rowing Club Incorporated

Whereas The Brockville Rowing Club Incorporated, herein called the Club, hereby represents that it was incorporated by letters patent dated the 5th day of February, 1971 as amended by supplementary letters patent dated the 10th day of December, 1986; that the Club is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Club are to promote rowing, aquatic sports and recreational facilities to the community at large and to establish, maintain and conduct a club for the accommodation, recreation and convenience of the community at large; that it is desirable that provision be made for exempting the real property of the Club situate in the City of Brockville in the County of Leeds more particularly described in the Schedule hereto, from taxation for municipal and school purposes, other than local improvement rate; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Brockville may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Club, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Club.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Brockville Rowing Club Incorporated Act, 1988*.

SCHEDULE

That parcel of land and premises situate in the City of Brockville, in the County of Leeds, being composed of City lots 48 and 49 in Block 10 as laid down on the map of the said City made by Willis Chipman, P.L.S., filed in the Registry Office for the said County of Leeds on July 2nd, 1984 and also the Water Lots in the front of the said lots 48 and 49.

Bill Pr46

*(Chapter Pr39
Statutes of Ontario, 1988)*

An Act respecting The Brockville Rowing Club Incorporated

Mr. Runciman

<i>1st Reading</i>	May 24th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988



Bill Pr46

1988

An Act respecting The Brockville Rowing Club Incorporated

Whereas The Brockville Rowing Club Incorporated, herein called the Club, hereby represents that it was incorporated by letters patent dated the 5th day of February, 1971 as amended by supplementary letters patent dated the 10th day of December, 1986; that the Club is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that the objects of the Club are to promote rowing, aquatic sports and recreational facilities to the community at large and to establish, maintain and conduct a club for the accommodation, recreation and convenience of the community at large; that it is desirable that provision be made for exempting the real property of the Club situate in the City of Brockville in the County of Leeds more particularly described in the Schedule hereto, from taxation for municipal and school purposes, other than local improvement rate; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Brockville may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act*, occupied by the Club, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Club.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1987.

Retroactive
by-law

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Brockville Rowing Club Incorporated Act, 1988*.

SCHEDULE

That parcel of land and premises situate in the City of Brockville, in the County of Leeds, being composed of City lots 48 and 49 in Block 10 as laid down on the map of the said City made by Willis Chipman, P.L.S., filed in the Registry Office for the said County of Leeds on July 2nd, 1984 and also the Water Lots in the front of the said lots 48 and 49.

Bill Pr47

An Act respecting The Peterborough Civic Hospital

Mr. Adams

1st Reading June 9th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr47

1988

An Act respecting The Peterborough Civic Hospital

Whereas The Peterborough Civic Hospital, The Corporation of the City of Peterborough and The Corporation of the County of Peterborough, herein called the applicants, hereby represent that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted additional powers to expand or enlarge the hospital, subject to the *Public Hospitals Act*, and to do all things necessary or incidental in connection therewith, including the power to execute agreements for capital projects; that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted the authority to enter into agreements to lease hospital property or grant easements or rights-of-way over hospital land and to contract for all matters incidental to the operation of the hospital; that it is also desirable that all actions, demands or claims arising from or in relation to the exercise of the powers and rights of the Board of Governors should be brought against the hospital and not against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 410

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Peterborough Civic Hospital Act, 1945*, being chapter 34, as amended by the Statutes of Ontario, 1949, chapter 136, section 2 and 1985, chapter Pr10, section 2, is repealed and the following substituted therefor:

7.—(1) Subject to the *Public Hospitals Act*, the Board of Governors shall have the power to,

Powers of
Board of
Governors
R.S.O. 1980,
c. 410

(a) construct, expand or renovate the hospital;

(b) enter into agreements for all services, work or materials related to a hospital project or necessary

to complete the construction, expansion or renovation of the hospital; and

- (c) furnish and equip the hospital and to enter into agreements for such purpose.

Powers
respecting
property

(2) The Board of Governors shall have control over and the custody of all real and personal property, belonging to or used in connection with the hospital and may sell or otherwise dispose of any personal property when it is no longer required for the purposes of the hospital.

2. Section 8 of the said Act, as amended by the Statutes of Ontario, 1949, chapter 136, section 3, is repealed and the following substituted therefor:

Property of
Board vested
in City

8.—(1) Notwithstanding sections 9 and 11, all real and personal property acquired by the Board of Governors is vested in The Corporation of the City of Peterborough.

Agreements
respecting
property
R.S.O. 1980,
c. 410

(2) Subject to the *Public Hospitals Act*, the Board of Governors may enter into agreements to lease hospital property or grant an easement or right-of-way over, under or upon hospital land or any part of it and The Corporation of the City of Peterborough shall execute and register the necessary documents to give effect to such agreement.

Claims to be
brought
against Board
of Governors

(3) All claims, accounts and demands arising from or in relation to the management and control of the hospital or the exercise of any rights or powers of the Board of Governors under this Act shall be made upon and brought against The Peterborough Civic Hospital and not upon or against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Peterborough Civic Hospital Act, 1988*.

Bill Pr47

*(Chapter Pr40
Statutes of Ontario, 1988)*

An Act respecting The Peterborough Civic Hospital

Mr. Adams

<i>1st Reading</i>	June 9th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988



Bill Pr47

1988

An Act respecting The Peterborough Civic Hospital

Whereas The Peterborough Civic Hospital, The Corporation of the City of Peterborough and The Corporation of the County of Peterborough, herein called the applicants, hereby represent that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted additional powers to expand or enlarge the hospital, subject to the *Public Hospitals Act*, and to do all things necessary or incidental in connection therewith, including the power to execute agreements for capital projects; that it is desirable that the Board of Governors of The Peterborough Civic Hospital be granted the authority to enter into agreements to lease hospital property or grant easements or rights-of-way over hospital land and to contract for all matters incidental to the operation of the hospital; that it is also desirable that all actions, demands or claims arising from or in relation to the exercise of the powers and rights of the Board of Governors should be brought against the hospital and not against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough; and whereas the applicants hereby apply for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 410

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Peterborough Civic Hospital Act, 1945*, being chapter 34, as amended by the Statutes of Ontario, 1949, chapter 136, section 2 and 1985, chapter Pr10, section 2, is repealed and the following substituted therefor:

7.—(1) Subject to the *Public Hospitals Act*, the Board of Governors shall have the power to,

Powers of
Board of
Governors
R.S.O. 1980,
c. 410

(a) construct, expand or renovate the hospital;

(b) enter into agreements for all services, work or materials related to a hospital project or necessary

to complete the construction, expansion or renovation of the hospital; and

- (c) furnish and equip the hospital and to enter into agreements for such purpose.

Powers
respecting
property

(2) The Board of Governors shall have control over and the custody of all real and personal property, belonging to or used in connection with the hospital and may sell or otherwise dispose of any personal property when it is no longer required for the purposes of the hospital.

2. Section 8 of the said Act, as amended by the Statutes of Ontario, 1949, chapter 136, section 3, is repealed and the following substituted therefor:

Property of
Board vested
in City

8.—(1) Notwithstanding sections 9 and 11, all real and personal property acquired by the Board of Governors is vested in The Corporation of the City of Peterborough.

Agreements
respecting
property
R.S.O. 1980,
c. 410

(2) Subject to the *Public Hospitals Act*, the Board of Governors may enter into agreements to lease hospital property or grant an easement or right-of-way over, under or upon hospital land or any part of it and The Corporation of the City of Peterborough shall execute and register the necessary documents to give effect to such agreement.

Claims to be
brought
against Board
of Governors

(3) All claims, accounts and demands arising from or in relation to the management and control of the hospital or the exercise of any rights or powers of the Board of Governors under this Act shall be made upon and brought against The Peterborough Civic Hospital and not upon or against The Corporation of the City of Peterborough or The Corporation of the County of Peterborough.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Peterborough Civic Hospital Act, 1988*.

Bill Pr48

An Act respecting the Town of Oakville

Mr. Carrothers

1st Reading May 11th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

The purpose of the Bill is to permit The Corporation of the Town of Oakville to give municipal tax credits or refunds in the amount of \$150 or such greater amounts as may be determined by council in the years 1988, 1989, 1990 and 1991 to owners of residential real property who meet the criteria set out in section 2 of the Bill.

The conditions for the grant are set out in section 3.

The amount of any credit or refund, once registered against the land, is a lien in favour of the Corporation (sections 6, 7 and 8).

Bill Pr48

1988

An Act respecting the Town of Oakville

Whereas The Corporation of the Town of Oakville, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. In this Act,

Definitions

“municipal taxes” means taxes imposed for municipal and
school purposes in respect of real property assessed as resi-
dential or farm property and includes local improvement or
other special rates;

“owner” means a person assessed as the owner of residential
real property and includes an owner within the meaning of
the *Condominium Act*;

R.S.O. 1980,
c. 84

“personal residence” means the residence ordinarily inhabited
by the owner;

“spouse” means a person of the opposite sex,

(a) to whom the person is married, or

(b) with whom the person is living outside marriage in a
conjugal relationship, if the two persons,

(i) have cohabited for at least one year,

(ii) are together the parents of a child, or

(iii) have together entered into a cohabitation
agreement under section 53 of the *Family* 1986, c. 4
Law Act, 1986.

Tax credit
and refund
authorized

2. The council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to allow owners of residential real property in the Town of Oakville a uniform credit or refund in an amount of \$150 per year or such greater amount as the by-law may provide against municipal taxes, including penalty and interest, for the years 1988, 1989, 1990, 1991 and 1992, in respect of the residential real property,

R.S.O. 1980,
cc. 151, 188

R.S.C. 1970,
c. O-6

- (a) if the owner or the spouse of the owner, or both, is or are receiving benefits under the *Family Benefits Act* or assistance under the *General Welfare Assistance Act*, or receiving a monthly guaranteed income supplement under Part II of the *Old Age Security Act* (Canada);
- (b) if the owner or the spouse of the owner, or both, occupies or occupy the property in respect of which municipal taxes are imposed as his, her or their personal residence; and
- (c) if the owner or the spouse of the owner, or both, has or have been assessed as the owner of residential real property in the municipality for a period of not less than one year immediately preceding the date of application for the credit.

Conditions

3. The following conditions apply to a credit or refund authorized under section 2:

- 1. No credit or refund shall be allowed to an owner in respect of more residential real property than one dwelling unit in any year.
- 2. No credit or refund shall be allowed unless an application for it has been made not later than three years after the end of the year in which the municipal taxes in respect of which the credit or refund is claimed became due and payable.
- 3. A credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes.
- 4. No refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year.

5. Where the municipal taxes payable by an owner in the year, before any credit or refund, are less than an amount equal to the sum of \$150 plus the amount of the maximum grant that may be paid to the owner or his or her spouse under section 2 of the *Ontario Pensioners Property Tax Assistance Act*, the credit or refund shall be the amount by which such municipal taxes exceed the amount of such maximum grant.

R.S.O. 1980,
c. 352

4. Despite paragraph 4 of section 3, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of the municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Exception

5. A by-law passed under section 2 may,

Additional
powers

- (a) provide for the continuation of the credits or refunds to the surviving spouse of a deceased person to whom a credit or refund was allowed, if the spouse otherwise qualifies for the credit or refund except for the qualification set out in clause 2 (c); and
- (b) prescribe such regulations with respect to the administration of the by-law, not inconsistent with this Act, as the council of the Corporation may consider proper.

6. The amount of any credit or refund allowed from time to time under a by-law passed under section 2 shall, on registration in the appropriate land registry office of a notice of lien, be a lien in favour of the Corporation on the real property in respect of which the credit or refund has been allowed.

Lien

7. The amount of the lien shall become due and be paid to the Corporation upon any change in ownership of the real property unless the change in ownership occurred,

When lien
due and
payable

- (a) as a result of the death of the owner to whom a credit or refund was allowed and the new owner is the joint tenant, tenant in common or heir of the deceased owner and is a person otherwise qualified for a credit or refund under a by-law passed under section 2; or
- (b) by way of a mortgage or charge other than a sale or foreclosure under the mortgage or charge.

Notice of
lien and
discharge of
lien

8. Where a by-law passed under section 2 is in force, forthwith after a credit or refund has been allowed under the by-law, a notice of lien signed by the treasurer of the Corporation stating that a credit or refund has been allowed together with a description of the real property sufficient for registration shall be registered in the proper land registry office and, upon payment in full to the treasurer of the Corporation of the amount of all outstanding credits and refunds allowed in respect of the property, a certificate of the treasurer of the Corporation showing the payment shall be similarly registered and thereupon the lien in respect of the real property is discharged.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is the *Town of Oakville Act, 1988*.

Bill Pr48

*(Chapter Pr28
Statutes of Ontario, 1988)*

An Act respecting the Town of Oakville

Mr. Carrothers

<i>1st Reading</i>	May 11th, 1988
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr48

1988

An Act respecting the Town of Oakville

Whereas The Corporation of the Town of Oakville, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. In this Act,

Definitions

“municipal taxes” means taxes imposed for municipal and
school purposes in respect of real property assessed as resi-
dential or farm property and includes local improvement or
other special rates;

“owner” means a person assessed as the owner of residential
real property and includes an owner within the meaning of
the *Condominium Act*;

R.S.O. 1980,
c. 84

“personal residence” means the residence ordinarily inhabited
by the owner;

“spouse” means a person of the opposite sex,

(a) to whom the person is married, or

(b) with whom the person is living outside marriage in a
conjugal relationship, if the two persons,

(i) have cohabited for at least one year,

(ii) are together the parents of a child, or

(iii) have together entered into a cohabitation
agreement under section 53 of the *Family* 1986, c. 4
Law Act, 1986.

Tax credit
and refund
authorized

2. The council of the Corporation may pass by-laws authorizing and directing the treasurer of the Corporation to allow owners of residential real property in the Town of Oakville a uniform credit or refund in an amount of \$150 per year or such greater amount as the by-law may provide against municipal taxes, including penalty and interest, for the years 1988, 1989, 1990, 1991 and 1992, in respect of the residential real property,

R.S.O. 1980,
cc. 151, 188

R.S.C. 1970,
c. O-6

- (a) if the owner or the spouse of the owner, or both, is or are receiving benefits under the *Family Benefits Act* or assistance under the *General Welfare Assistance Act*, or receiving a monthly guaranteed income supplement under Part II of the *Old Age Security Act* (Canada);
- (b) if the owner or the spouse of the owner, or both, occupies or occupy the property in respect of which municipal taxes are imposed as his, her or their personal residence; and
- (c) if the owner or the spouse of the owner, or both, has or have been assessed as the owner of residential real property in the municipality for a period of not less than one year immediately preceding the date of application for the credit.

Conditions

3. The following conditions apply to a credit or refund authorized under section 2:

- 1. No credit or refund shall be allowed to an owner in respect of more residential real property than one dwelling unit in any year.
- 2. No credit or refund shall be allowed unless an application for it has been made not later than three years after the end of the year in which the municipal taxes in respect of which the credit or refund is claimed became due and payable.
- 3. A credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes.
- 4. No refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year.

5. Where the municipal taxes payable by an owner in the year, before any credit or refund, are less than an amount equal to the sum of \$150 plus the amount of the maximum grant that may be paid to the owner or his or her spouse under section 2 of the *Ontario Pensioners Property Tax Assistance Act*, the credit or refund shall be the amount by which such municipal taxes exceed the amount of such maximum grant.

R.S.O. 1980,
c. 352

4. Despite paragraph 4 of section 3, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of the municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Exception

5. A by-law passed under section 2 may,

Additional
powers

- (a) provide for the continuation of the credits or refunds to the surviving spouse of a deceased person to whom a credit or refund was allowed, if the spouse otherwise qualifies for the credit or refund except for the qualification set out in clause 2 (c); and
- (b) prescribe such regulations with respect to the administration of the by-law, not inconsistent with this Act, as the council of the Corporation may consider proper.

6. The amount of any credit or refund allowed from time to time under a by-law passed under section 2 shall, on registration in the appropriate land registry office of a notice of lien, be a lien in favour of the Corporation on the real property in respect of which the credit or refund has been allowed.

Lien

7. The amount of the lien shall become due and be paid to the Corporation upon any change in ownership of the real property unless the change in ownership occurred,

When lien
due and
payable

- (a) as a result of the death of the owner to whom a credit or refund was allowed and the new owner is the joint tenant, tenant in common or heir of the deceased owner and is a person otherwise qualified for a credit or refund under a by-law passed under section 2; or
- (b) by way of a mortgage or charge other than a sale or foreclosure under the mortgage or charge.

Notice of
lien and
discharge of
lien

8. Where a by-law passed under section 2 is in force, forthwith after a credit or refund has been allowed under the by-law, a notice of lien signed by the treasurer of the Corporation stating that a credit or refund has been allowed together with a description of the real property sufficient for registration shall be registered in the proper land registry office and, upon payment in full to the treasurer of the Corporation of the amount of all outstanding credits and refunds allowed in respect of the property, a certificate of the treasurer of the Corporation showing the payment shall be similarly registered and thereupon the lien in respect of the real property is discharged.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is the *Town of Oakville Act, 1988*.





Bill Pr49

An Act to revive Lebon Gold Mines Limited

Mr. Kanter

1st Reading February 8th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr49

1988

An Act to revive Lebon Gold Mines Limited

Whereas James Winters and Arthur Jackson hereby represent that Lebon Gold Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 24th day of April, 1945; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for failure to comply with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, and declared the Corporation to be dissolved on the 16th day of March, 1976; that the applicants were majority shareholders of the Corporation at the time of its dissolution; that notice of default was apparently sent to William Courtney Simpson who at the relevant time was a director of the Corporation; that the said William Courtney Simpson is now deceased; that the default occurred by reason of a mistake or inadvertence; that the applicants were unaware of the dissolution of the Corporation until more than four years after the date thereof; that the Corporation at the time of the dissolution was inactive but was the owner of certain patented mining claims which included a mill, buildings and underground installations and it is desirable to revive the Corporation so that it may deal with these assets; that the applicants have paid all taxes accruing against the property of the Corporation for more than thirty years; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lebon Gold Mines Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities,

Corporation
revived

contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Lebon Gold Mines Limited Act, 1988*.

Bill Pr49

An Act to revive Lebon Gold Mines Limited

Mr. Kanter

1st Reading February 8th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr49

1988

An Act to revive Lebon Gold Mines Limited

Whereas James Winters and Arthur Jackson hereby represent Preamble
that Lebon Gold Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 24th day of April, 1945; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for failure to comply with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, and declared the Corporation to be dissolved on the 16th day of March, 1976; that the applicants were majority shareholders of the Corporation at the time of its dissolution; that notice of default was apparently sent to William Courtney Simpson who at the relevant time was a director of the Corporation; that the said William Courtney Simpson is now deceased; that the default occurred by reason of a mistake or inadvertence; that the applicants were unaware of the dissolution of the Corporation until more than four years after the date thereof; that the Corporation at the time of the dissolution was inactive but that it is desirable to revive the Corporation so that it is able to pursue interests it may have in certain patented mining claims; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lebon Gold Mines Limited is hereby revived and is, Corporation
revived
subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Lebon Gold Mines Limited Act, 1988*.

Bill Pr49

*(Chapter Pr41
Statutes of Ontario, 1988)*

An Act to revive Lebon Gold Mines Limited

Mr. Kanter

<i>1st Reading</i>	February 8th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988



Bill Pr49

1988

An Act to revive Lebon Gold Mines Limited

Whereas James Winters and Arthur Jackson hereby represent Preamble
that Lebon Gold Mines Limited, herein called the Corporation, was incorporated by letters patent dated the 24th day of April, 1945; that the Minister of Consumer and Commercial Relations by order dated the 16th day of March, 1976 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for failure to comply with section 134 of *The Securities Act*, being chapter 426 of the Revised Statutes of Ontario, 1970, and declared the Corporation to be dissolved on the 16th day of March, 1976; that the applicants were majority shareholders of the Corporation at the time of its dissolution; that notice of default was apparently sent to William Courtney Simpson who at the relevant time was a director of the Corporation; that the said William Courtney Simpson is now deceased; that the default occurred by reason of a mistake or inadvertence; that the applicants were unaware of the dissolution of the Corporation until more than four years after the date thereof; that the Corporation at the time of the dissolution was inactive but that it is desirable to revive the Corporation so that it is able to pursue interests it may have in certain patented mining claims; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lebon Gold Mines Limited is hereby revived and is, Corporation
revived
subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Lebon Gold Mines Limited Act, 1988*.

Bill Pr50

An Act to revive the Gottscheer Relief Association

Mr. McCague

1st Reading May 31st, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr50

1988

An Act to revive the Gottscheer Relief Association

Whereas Norbert Lackner hereby represents that the Gottscheer Relief Association, herein called the Corporation, was incorporated by letters patent dated the 19th day of January, 1966; that the Minister of Consumer and Commercial Relations by order dated the 13th day of January, 1979, and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that the applicant is an officer of the ongoing association that is carried on in the name of the Corporation and is also a director thereof; that notice of default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of dissolution was carrying on the functions authorized by its letters patent and the Corporation held certain real property on behalf of its members; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Gottscheer Relief Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Gottscheer Relief Association Act, 1988*.

Bill Pr50

An Act to revive the Gottscheer Relief Association

Mr. McCague

1st Reading May 31st, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr50

1988

An Act to revive the Gottscheer Relief Association

Whereas Norbert Lackner hereby represents that the Gottscheer Relief Association, herein called the Corporation, was incorporated by letters patent dated the 19th day of January, 1966; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979, and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that the applicant is an officer of the ongoing association that is carried on in the name of the Corporation and is also a director thereof; that notice of default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of dissolution was carrying on the functions authorized by its letters patent and the Corporation held certain real property on behalf of its members; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Gottscheer Relief Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Gottscheer Relief Association Act, 1988*.

Bill Pr50

*(Chapter Pr42
Statutes of Ontario, 1988)*

An Act to revive the Gottscheer Relief Association

Mr. McCague

<i>1st Reading</i>	May 31st, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr50

1988

An Act to revive the Gottscheer Relief Association

Whereas Norbert Lackner hereby represents that the Gottscheer Relief Association, herein called the Corporation, was incorporated by letters patent dated the 19th day of January, 1966; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979, and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that the applicant is an officer of the ongoing association that is carried on in the name of the Corporation and is also a director thereof; that notice of default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that the applicant was not aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of dissolution was carrying on the functions authorized by its letters patent and the Corporation held certain real property on behalf of its members; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Gottscheer Relief Association is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Gottscheer Relief Association Act, 1988*.

Bill Pr51

An Act respecting The Incorporated Synod of the Diocese of Huron

Ms Cunningham

1st Reading May 26th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr51

1988

An Act respecting The Incorporated Synod of the Diocese of Huron

Whereas The Incorporated Synod of the Diocese of Huron, herein called the Synod, hereby represents that by section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, it was authorized to invest not less than 80 per cent of the book value of the assets comprising funds held by it in trust in government securities, municipal debentures, stock of any chartered bank or permanent building society or any other incorporated financial company in Canada, or in mortgages of real estate; and it was authorized to invest up to 20 per cent of the book value of such assets in investments in which companies registered under Part III of the *Canadian and British Insurance Companies Act* (Canada) are authorized to invest; and whereas the Synod desires to be empowered to invest the assets comprising the funds held by it in trust in those securities authorized by law for trustees in order to obtain a greater diversity of investment and an increase in the income derived therefrom; and whereas the Synod hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1970,
c. I-15

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, section 1, is repealed and the following substituted therefor:

12.—(1) The Synod shall invest the funds held by it in trust in investments authorized for trustees under the *Trustee*

Investment of
funds
R.S.O. 1980,
c. 512

Act subject to any express term in the instrument creating the trust.

Exemption
R.S.O. 1980,
c. 59

(2) This section does not apply to funds held by the Synod that are perpetual care funds as defined in the *Cemeteries Act*.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Incorporated Synod of the Diocese of Huron Act, 1988*.

Bill Pr51

*(Chapter Pr43
Statutes of Ontario, 1988)*

An Act respecting The Incorporated Synod of the Diocese of Huron

Ms Cunningham

<i>1st Reading</i>	May 26th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr51

1988

An Act respecting The Incorporated Synod of the Diocese of Huron

Whereas The Incorporated Synod of the Diocese of Huron, herein called the Synod, hereby represents that by section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, it was authorized to invest not less than 80 per cent of the book value of the assets comprising funds held by it in trust in government securities, municipal debentures, stock of any chartered bank or permanent building society or any other incorporated financial company in Canada, or in mortgages of real estate; and it was authorized to invest up to 20 per cent of the book value of such assets in investments in which companies registered under Part III of the *Canadian and British Insurance Companies Act* (Canada) are authorized to invest; and whereas the Synod desires to be empowered to invest the assets comprising the funds held by it in trust in those securities authorized by law for trustees in order to obtain a greater diversity of investment and an increase in the income derived therefrom; and whereas the Synod hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1970,
c. 1-15

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 12 of *An Act to Incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*, being chapter 74 of the Statutes of Ontario, 1874, as re-enacted by the Statutes of Ontario, 1970, chapter 146, section 1, is repealed and the following substituted therefor:

12.—(1) The Synod shall invest the funds held by it in trust in investments authorized for trustees under the *Trustee*

Investment of
funds
R.S.O. 1980,
c. 512

Act subject to any express term in the instrument creating the trust.

Exemption
R.S.O. 1980,
c. 59

(2) This section does not apply to funds held by the Synod that are perpetual care funds as defined in the *Cemeteries Act*.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Incorporated Synod of the Diocese of Huron Act, 1988*.

Bill Pr52

An Act respecting the City of Etobicoke

Mr. Henderson

1st Reading June 1st, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The Bill authorizes The Corporation of the City of Etobicoke to require every employer to adopt and implement a smoking policy in the workplace. It also authorizes the Corporation to prohibit smoking in contravention of a smoking policy or where there is a general prohibition under clause 2 (e) in effect. Subsection 3 (1) provides for entry into workplaces by inspectors appointed by the Corporation.

Bill Pr52

1988

An Act respecting the City of Etobicoke

Whereas The Corporation of the City of Etobicoke, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause 2 (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

2. The council of the Corporation may pass by-laws,

- (a) for requiring every employer in the City of Etobicoke, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) for requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) for providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) for requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) for requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) for prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) for prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) for prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) for providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) for prescribing the method by which any notice is required to be given by the employer; and
- (k) for appointing inspectors.

3.—(1) For the enforcement of any by-law passed under this Act, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries. Inspection of workplace

(2) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant. Where workplace is a dwelling

(3) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this Act. Obstruction of inspector prohibited

(4) If any person, Application for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this Act; or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

(5) If a justice of the peace is satisfied on evidence under oath, Warrant by justice of the peace

- (a) that there is reasonable and probable ground for believing that it is necessary,
 - (i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or
 - (ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and
- (b) that an inspector,
 - (i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,
 - (ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(6) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(7) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(8) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

4. This Act comes into force on the day it receives Royal Assent. Commence-
ment

5. The short title of this Act is the *City of Etobicoke Act*, Short title
1988.



Bill Pr52

*(Chapter Pr44
Statutes of Ontario, 1988)*

An Act respecting the City of Etobicoke

Mr. Henderson

<i>1st Reading</i>	June 1st, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988



Bill Pr52**1988****An Act respecting the City of Etobicoke**

Whereas The Corporation of the City of Etobicoke, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,Definitions

“employee” includes a person who,

- (a) performs any work for or supplies any services to an employer, or
- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;

“employer” includes any person who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

“enclosed” means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;

“inspector” means a person appointed by the council of the Corporation under clause 2 (k);

“smoke” or “smoking” includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;

“smoking policy” means a written policy that attempts to accommodate the preferences of smokers and non-smokers in a workplace;

“workplace” means any enclosed area of a building or structure in which an employee works.

By-laws
respecting
smoking in
the
workplace

2. The council of the Corporation may pass by-laws,

- (a) for requiring every employer in the City of Etobicoke, within the time specified in the by-law, to adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer;
- (b) for requiring every employer required by by-law to adopt and implement a smoking policy to maintain that smoking policy in the workplace for which it was adopted and to give notice of the adoption of the smoking policy to each employee in the workplace within the time specified in the by-law;
- (c) for providing that if a smoking policy has been adopted, a non-smoking employee may object to the employer about smoke in the workplace;
- (d) for requiring an employer, if an objection has been made under clause (c), to attempt to reach a reasonable accommodation between the preferences of non-smoking and smoking employees using already available means of ventilation, separations or partitions, but no employer shall be required to make any expenditures or structural alterations to the workplace to accommodate the preferences of non-smoking employees;
- (e) for requiring an employer to prohibit smoking in the workplace if an accommodation satisfactory to all non-smoking employees in a workplace cannot be reached and to erect signs indicating the prohibition;
- (f) for prohibiting any person from smoking in a workplace contrary to the smoking policy adopted for that workplace;
- (g) for prohibiting any person from smoking in a workplace if smoking has been prohibited as required by by-law;

- (h) for prescribing the size, location and details of the signs which an employer is required by the by-law to erect in that workplace;
- (i) for providing that any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace or contrary to the prohibition under clause (e) is guilty of an offence;
- (j) for prescribing the method by which any notice is required to be given by the employer; and
- (k) for appointing inspectors.

3.—(1) For the enforcement of any by-law passed under this Act, an inspector, upon producing proper identification, may, at all reasonable hours, enter any workplace or any building or structure in which a workplace is situate, and may make examinations, investigations and inquiries. Inspection of workplace

(2) No inspector may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant. Where workplace is a dwelling

(3) No person shall hinder or obstruct an inspector lawfully carrying out the enforcement of any by-law passed under this Act. Obstruction of inspector prohibited

(4) If any person, Application for warrant

- (a) denies entry or access to an inspector, through or over a workplace or through or over any building or structure in which a workplace is situate;
- (b) instructs or directs an inspector to leave a workplace or any building or structure in which a workplace is situate;
- (c) obstructs an inspector from carrying out the enforcement of a by-law passed under this Act; or
- (d) refuses to comply with a request for the production of any thing, the production of which is requested for the purpose of an examination, investigation or inquiry,

an inspector may apply to a justice of the peace for a warrant.

(5) If a justice of the peace is satisfied on evidence under oath, Warrant by justice of the peace

- (a) that there is reasonable and probable ground for believing that it is necessary,
 - (i) to enter and have access to any workplace or any building or structure in which a workplace is situate, or
 - (ii) to make examinations, investigations and inquiries for the purpose of this section or the enforcement of any by-law passed under this section; and
- (b) that an inspector,
 - (i) has been denied entry to the workplace or to any building or structure in which a workplace is situate,
 - (ii) has been instructed or directed to leave the workplace or any building or structure in which a workplace is situate,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation or inquiry,

the justice of the peace may issue a warrant authorizing an inspector to act as mentioned in clause (a) in respect of the workplace or building or structure specified in the warrant, by force if necessary, together with such police officers as may be called upon to assist the inspector.

Execution of
warrant

(6) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(7) A warrant issued under this section shall state the date upon which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(8) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the employer or owner or occupier of the workplace or of the building or structure in which a workplace is situate.

4. This Act comes into force on the day it receives Royal Assent. Commence-
ment

5. The short title of this Act is the *City of Etobicoke Act*, Short title
1988.

Bill Pr53

An Act respecting The Peterborough Historical Society

Mr. Adams

1st Reading October 18th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr53

1988

An Act respecting The Peterborough Historical Society

Whereas The Peterborough Historical Society, herein called the Society, hereby represents that it was incorporated by letters patent dated the 10th day of May, 1977; that one of the objects of the Society is to hold, restore and maintain premises known as Hutchinson House in the City of Peterborough as a living museum; that Hutchinson House was built in 1836 as a private home, bequeathed to the Society in 1969 and is the only restored building left in the City of Peterborough from that period; that unique tours and educational programs are arranged with the curator of the House for school children and adults; that for the attainment of the above object the Society conducts and promotes fund-raising events and accepts grants, gifts and donations; that the Society is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property owned by the Society and known municipally as 270 Brock Street in the City of Peterborough from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Peterborough may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act* or any portion thereof, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Society.

Tax
exemptionR.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Peterborough Historical Society Act, 1988*.

SCHEDULE

The land and premises in the City of Peterborough, in the County of Peterborough, being composed of all those parts of lots 10 and 11 north of Brock Street and west of George Street lying south and west of the right-of-way of the Canadian National Railway as shown coloured pink on Registered Instrument Number 5409 for the Town of Peterborough, excepting therefrom the northerly 83 feet from front to rear thereof, and that part of Lot Number 11 described as follows:

COMMENCING at the southwest angle of Lot Number 11;

THENCE easterly along the southerly limit of Lot Number 11, 38 feet;

THENCE northerly parallel with the westerly limit of Lot Number 11, 100 feet;

THENCE westerly parallel with the southerly limit of Lot Number 11, 38 feet, more or less, to the westerly limit of Lot Number 11;

THENCE southerly along the westerly limit of Lot Number 11, 100 feet to the place of beginning.

Bill Pr53

*(Chapter Pr52
Statutes of Ontario, 1988)*

An Act respecting The Peterborough Historical Society

Mr. Adams

<i>1st Reading</i>	October 18th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr53

1988

An Act respecting The Peterborough Historical Society

Whereas The Peterborough Historical Society, herein called the Society, hereby represents that it was incorporated by letters patent dated the 10th day of May, 1977; that one of the objects of the Society is to hold, restore and maintain premises known as Hutchison House in the City of Peterborough as a living museum; that Hutchison House was built in 1836 as a private home, bequeathed to the Society in 1969 and is the only restored building left in the City of Peterborough from that period; that unique tours and educational programs are arranged with the curator of the House for school children and adults; that for the attainment of the above object the Society conducts and promotes fund-raising events and accepts grants, gifts and donations; that the Society is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that it is desirable that provision be made for exempting the real property owned by the Society and known municipally as 270 Brock Street in the City of Peterborough from taxation for municipal and school purposes, other than local improvement rates; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Peterborough may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land, as defined in the *Assessment Act* or any portion thereof, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Society.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Peterborough Historical Society Act, 1988*.

SCHEDULE

The land and premises in the City of Peterborough, in the County of Peterborough, being composed of all those parts of lots 10 and 11 north of Brock Street and west of George Street lying south and west of the right-of-way of the Canadian National Railway as shown coloured pink on Registered Instrument Number 5409 for the Town of Peterborough, excepting therefrom the northerly 83 feet from front to rear thereof, and that part of Lot Number 11 described as follows:

COMMENCING at the southwest angle of Lot Number 11;

THENCE easterly along the southerly limit of Lot Number 11, 38 feet;

THENCE northerly parallel with the westerly limit of Lot Number 11, 100 feet;

THENCE westerly parallel with the southerly limit of Lot Number 11, 38 feet, more or less, to the westerly limit of Lot Number 11;

THENCE southerly along the westerly limit of Lot Number 11, 100 feet to the place of beginning.

Bill Pr54

An Act to revive the Toronto Ski Club

Mr. Lipsett

1st Reading November 19th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr54

1987

An Act to revive the Toronto Ski Club

Whereas Eric Button and David Kinnear hereby represent Preamble
that the Toronto Ski Club, herein called the Corporation, was incorporated by letters patent dated the 20th day of October, 1924, as a corporation without share capital; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants were members, directors and officers of the Corporation at the time of its dissolution and are members and officers of the on-going organization carried on in the name of the Corporation since its dissolution; that the notice of default and the notice of dissolution issued on behalf of the Minister were not received by the Corporation or any of its officers and directors; that the default and failure to comply occurred by reason of inadvertence; that the applicants were not aware of the dissolution of the Corporation until more than two years after the date thereof; that at the time of dissolution the Corporation held certain real and personal property on behalf of its members; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Toronto Ski Club is hereby revived and is, subject Corporation
revived
to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
substituted
for Public
Trustee
1982, c. 4

2. The Toronto Ski Club is substituted in place of the Public Trustee in respect of any action or proceeding taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Public
Trustee
to be
indemnified
1982, c. 4

3. The Toronto Ski Club shall indemnify the Public Trustee for all costs, liabilities and obligations incurred by the Public Trustee as a result of any action taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Toronto Ski Club Act, 1987*.

Bill Pr54

*(Chapter Pr8
Statutes of Ontario, 1988)*

An Act to revive the Toronto Ski Club

Mr. Lipsett

<i>1st Reading</i>	November 19th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr54

1987

An Act to revive the Toronto Ski Club

Whereas Eric Button and David Kinnear hereby represent Preamble
that the Toronto Ski Club, herein called the Corporation, was incorporated by letters patent dated the 20th day of October, 1924, as a corporation without share capital; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982, and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that the applicants were members, directors and officers of the Corporation at the time of its dissolution and are members and officers of the on-going organization carried on in the name of the Corporation since its dissolution; that the notice of default and the notice of dissolution issued on behalf of the Minister were not received by the Corporation or any of its officers and directors; that the default and failure to comply occurred by reason of inadvertence; that the applicants were not aware of the dissolution of the Corporation until more than two years after the date thereof; that at the time of dissolution the Corporation held certain real and personal property on behalf of its members; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Toronto Ski Club is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a corporation, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved. Corporation
revived

Corporation
substituted
for Public
Trustee
1982, c. 4

2. The Toronto Ski Club is substituted in place of the Public Trustee in respect of any action or proceeding taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Public
Trustee
to be
indemnified

3. The Toronto Ski Club shall indemnify the Public Trustee for all costs, liabilities and obligations incurred by the Public Trustee as a result of any action taken by the Public Trustee under section 184 of the *Business Corporations Act, 1982* in respect of the assets of the dissolved Corporation.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *Toronto Ski Club Act, 1988*.

Bill Pr55

An Act to revive 288093 Ontario Limited

Mrs. LeBourdais

<i>1st Reading</i>	October 18th, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr55

1988

An Act to revive 288093 Ontario Limited

Whereas Ante Bebek, Mato Stojic and Andelko Divic hereby represent that 288093 Ontario Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 7th day of May, 1974; that the Minister of Consumer and Commercial Relations, by order dated the 2nd day of November, 1981, and made under the authority of subsection 251(3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act, 1972*, being chapter 143, and declared the Corporation to be dissolved on the 2nd day of November, 1981; that the applicants were all of the shareholders and directors of the Corporation at the time of its dissolution; that the applicants allowed the articles of incorporation to be dissolved through inadvertence; that the Corporation owned property in trust at the time of its dissolution; that the applicants wish to revive the Corporation in order that it may deal with its property it owns in trust; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 288093 Ontario Limited is hereby revived and is subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *288093 Ontario Limited Act, 1988*.

Short title

Bill Pr55

*(Chapter Pr53
Statutes of Ontario, 1988)*

An Act to revive 288093 Ontario Limited

Mrs. LeBourdais

<i>1st Reading</i>	October 18th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr55

1988

An Act to revive 288093 Ontario Limited

Whereas Ante Bebek, Mato Stojic and Andelko Divic hereby represent that 288093 Ontario Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 7th day of May, 1974; that the Minister of Consumer and Commercial Relations, by order dated the 2nd day of November, 1981, and made under the authority of subsection 251(3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in complying with *The Corporations Tax Act*, 1972, being chapter 143, and declared the Corporation to be dissolved on the 2nd day of November, 1981; that the applicants were all of the shareholders and directors of the Corporation at the time of its dissolution; that the applicants allowed the articles of incorporation to be dissolved through inadvertence; that the Corporation owned property in trust at the time of its dissolution; that the applicants wish to revive the Corporation in order that it may deal with its property it owns in trust; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 288093 Ontario Limited is hereby revived and is subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *288093 Ontario Limited Act, 1988*.

Short title

Bill Pr56

An Act respecting the City of Toronto

Mr. Kanter

1st Reading November 30th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTES

SECTION 1. This section permits the City to lease for parking purposes, free from restrictions contained in the 1903 legislation, certain lands which it owns on Fleet Street.

SECTION 2. This section would permit the City to stand in the place of the Board of Health and the Board of Health would be dissolved.

SECTION 3. This section has the effect of re-enacting section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended. Changes are made to the definition of "social housing" and to the powers of council in dealing with by-laws pertaining to social housing, residential densities for social housing and agreements pertaining to social housing.

SECTION 4. The purpose of this section is to permit by-laws designating bus parking areas on highways, to regulate the use of and times of operation of the areas so designated and to prohibit any vehicle other than a bus from parking, stopping or standing within such designated area.

SECTION 5. This provision has the effect of re-enacting section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended, respecting permit parking. The only substantive change is found in clause 5 (1) (e) which allows a vehicle that has a permit to park without using a parking meter or other parking device.

SECTION 6. The purpose of this section is to give council the authority to deal with vacant buildings which pose fire and safety problems.

Bill Pr56

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 10 (6) of *An Act respecting The City of Toronto*, being chapter 86 of the Statutes of Ontario, 1903, the Corporation may lease to any person for parking purposes, on such terms and conditions as may be agreed upon, any part of the lands in the Ordnance Reserve Plan bounded on the north by the Frederick C. Gardiner Expressway lands, on the south by Fleet Street, on the west by Strachan Avenue and on the east by the west limit of Garrison Road, until such time as the lands are required by the Commissioner of Parks and Recreation of the Corporation for parks purposes.

Power of council to lease land for parking purposes

2.—(1) The Board of Health for the City of Toronto Health Unit is dissolved and the assets and liabilities of the Board become assets and liabilities of the Corporation without compensation and the Corporation shall stand in the place and stead of the Board of Health for the City of Toronto Health Unit for the purposes of any agreements entered into, orders made or matters commenced by that Board, and for the purposes of any proceedings which have been or may be instituted against that Board.

Board of Health dissolved

(2) For purposes of the *Health Protection and Promotion Act, 1983* and any other Act, the Corporation shall be deemed to be a board of health established under the *Health Protection and Promotion Act, 1983*.

Corporation deemed to be board of health
1983, c. 10

(3) The Corporation shall have all the powers and rights and be subject to all the duties conferred or imposed on a board of health by the *Health Protection and Promotion Act*,

Corporation to have powers, etc., of board of health

1983, and shall perform all the functions of such a board, and the functions which would have been performed by the board of health or the medical officer of health or the public health inspector of a board of health shall be performed by the Corporation or the medical officer of health or the health inspector of the Corporation, as the case may be.

Health Unit
continued

(4) The City of Toronto Health Unit designated by regulation made under clause 95 (5) (a) of the *Health Protection and Promotion Act, 1983* is continued as a health unit.

Non-
applicability
of certain
provisions
1983, c. 10

(5) Sections 48 and 51 to 59 and clause 95 (5) (d) of the *Health Protection and Promotion Act, 1983* do not apply to the Corporation.

Transitional

(6) Notwithstanding subsection (5), any person employed or appointed by the Corporation under clause 59 (1) (a) or (b) of the *Health Protection and Promotion Act, 1983* on the day this section comes into force continues to be employed or appointed under that Act.

Definition

3.—(1) In this section, “social housing program” means a program or project,

(a) that, in the opinion of the council of the Corporation, is designed to provide housing accommodation primarily for persons with low to moderate incomes, at a charge not exceeding the greater of,

(i) the amount required to finance, operate and maintain such accommodation without profit, or

(ii) the amount required to be charged for such accommodation under the terms of an agreement respecting the financing of the accommodation where one party is the provincial or federal government or an agency thereof,

and such accommodation is entirely owned by or leased to, and operated by one or more of,

1986, c. 63

(iii) a “non-profit co-operative housing corporation” as defined in the *Residential Rent Regulation Act, 1986*, or

R.S.C. 1970,
c. N-10

(iv) a “non-profit corporation” as defined in the *National Housing Act (Canada)*; or

- (b) that provides housing accommodation that is owned and operated by or on behalf of the City of Toronto Non-Profit Housing Corporation.

(2) In any by-law passed under section 34 of the *Planning Act*, 1983, the council of the Corporation may, in addition to prescribing densities under the authority of that section, prescribe one or more residential densities of development applicable to any land in respect of which the owner of the land and the operator of the housing accommodation, if different from the owner, agrees with the Corporation to provide all or such proportion as specified in the by-law, of the housing accommodation located or to be located on such land, for the purpose of a social housing program.

By-laws
respecting
densities
1983, c. 1

(3) The Corporation may require an owner, and operator if different from the owner, to enter into one or more agreements respecting the provision of social housing accommodation referred to in subsection (2).

Requiring
agreements

(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Registration
of
agreements

R.S.O. 1980,
cc. 445, 230

(5) No agreement made under subsection (3) shall be declared to be invalid by reason only of the failure to specify particulars of a social housing program.

Validity of
agreements

(6) Where an agreement has been registered under subsection (4), no person shall, during the operation of the agreement, convey any unit of housing accommodation which is part of a social housing program, by way of deed or transfer, or grant, assign or exercise a power of appointment with respect to the unit, or mortgage or charge the unit, or enter into an agreement of sale and purchase respecting the unit, or enter into any agreement which has the effect of granting the use of or right in the unit directly or by entitlement to renewal for a period of twenty-one years or more without the written consent of the Corporation.

Consent of
City required
for
conveyance,
etc.

(7) Where an agreement has been registered under subsection (4), an agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of subsection (6), does not create or convey any interest in the unit.

Conveyance,
etc., contrary
to subs. (6)

Where
R.S.O. 1980,
c. 230 applies
R.S.O. 1980,
c. 230

(8) Where notice of an agreement under subsection (4) has been registered against land to which the *Land Titles Act* applies, the Corporation shall apply to the Land Registrar to have an entry made on the register that,

- (a) no transfer shall be made or charge created;
- (b) no notice of agreement of sale and purchase shall be registered; and
- (c) no lease or notice of lease having the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more shall be registered,

R.S.O. 1980,
c. 230

unless the consent of the Corporation is given to such transfer, charge, notice of agreement, lease or notice of lease and subsection 117 (4) of the *Land Titles Act* applies.

Certificate of
clerk

(9) Where a written consent under subsection (6) has been given by the Corporation, the clerk of the Corporation shall provide a certificate, in registrable form, to the person obtaining the consent stating that the written consent of the Corporation has been obtained and the certificate of the clerk is conclusive evidence that the consent was given and that the provisions of this section leading to the consent have been complied with and, after the certificate has been given, no action may be maintained to question the validity of the consent and the certificate may be registered in the proper land registry office.

Validity of
by-laws
restricting
occupancy

(10) No by-law passed by the council that implements subsection (2) shall be invalidated by reason only that the effect thereof is to restrict occupancy of housing accommodation to such persons or class or classes of persons as are set out in the by-law.

Offence

(11) A by-law that implements subsection (2) may provide that any person entering into an agreement under subsection (3) who fails to provide the proportion or number of units for such period of time as may be specified in the agreement for the purposes of a social housing program is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000.

Damages

(12) In addition to the penalty set out in subsection (11), every owner who contravenes any of the provisions of an agreement entered into under subsection (3) is liable for damages payable to the Corporation in an amount equal to the difference between the charge that should have been made for

the housing accommodation under the agreement and the actual charge made for such housing accommodation for the period of time that the owner or operator has contravened the agreement and such damages may be recovered as a debt due to the Corporation.

(13) Subsections (6), (7) and (8) do not apply to an agreement unless those subsections are set out in the agreement.

Contents of agreement

(14) In any by-law passed under section 34 of the *Planning Act, 1983* that implements subsection (2), the council of the Corporation may give exemptions or reductions, or both, from the zoning provisions and standards otherwise applicable to similar forms of housing accommodation which are not part of a social housing program.

Exemptions or reductions
1983, c. 1

(15) The council of the Corporation shall not be required to pass any by-law under subsection (2) notwithstanding subsection 34 (11) of the *Planning Act, 1983* and notwithstanding that any proposed development complies with the definition of social housing program in subsection (1).

Council not required to pass by-law
1983, c. 1

(16) The Corporation may enter into an agreement with the owner of land proposing a development on the land that is to contain housing accommodation for the purposes of a social housing program but for which no by-law under section 34 of the *Planning Act, 1983* prescribing the matters set out in subsection (2) is required and the agreement may contain provisions respecting the maintenance of the accommodation and such other terms as are agreed between the owner and the Corporation and subsections (4), (5), (6), (7), (8), (9) and (13) apply to the agreement.

Agreements with owner

(17) A reference in any by-law passed by the council of the Corporation before this section comes into force to "assisted housing", "assisted housing program" or an "owner" of land who has entered an agreement under section 5 of *The City of Toronto Act, 1975* (No. 2) shall be deemed to be references to "social housing", "social housing program" and an "owner of land and operator of the housing accommodation if different from the owner", respectively.

Deeming provision

1975, c. 117

(18) Any by-law passed under subsection 5 (2) and any agreement entered into under subsection 5 (3) of *The City of Toronto Act, 1975* (No. 2), being chapter 117, before this Act comes into force, shall continue in full force and effect until repealed or revoked by the Corporation.

By-laws and agreements continued
1975, c. 117

4.—(1) In this section,

Definitions

“bus” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

“City Clerk” means the clerk of the corporation;

“motor vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a street car, or other motor vehicles running only upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

By-laws
designating
zones for
parking buses

(2) The council of the Corporation may pass by-laws,

- (a) designating zones for the parking of buses on public highways under the jurisdiction of the Corporation;
- (b) regulating the use of such designated zones;
- (c) providing for the time or times during which such designated zones shall operate; and
- (d) prohibiting the parking, stopping or standing of any vehicle other than a bus within such designated zones.

By-laws
respecting
permit
parking

5.—(1) The council of the Corporation may by by-law,

- (a) allow the parking of motor vehicles, or any class or classes thereof, on designated public highways or parts of highways during specified hours pursuant to permits issued to the owners of the vehicles by an official named in the by-law;
- (b) charge such fee as the council may decide for the parking permit;
- (c) provide for cancelling the permits and refunding the unexpired portion of the fee;
- (d) prohibit the parking of motor vehicles on the designated public highways or parts of highways during

the specified hours unless a permit has been issued under the by-law; and

- (e) allow persons to whom a permit has been issued under the by-law to park the motor vehicle in respect of which such permit has been issued on public highways or parts thereof designated under the by-law without using any automatic or other mechanical meter or device erected thereon.

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the by-law shall be sent by prepaid mail to all persons rated on the last assessment roll returned to the City Clerk, as amended by decisions of the Assessment Review Board and by written information received by the City Clerk with respect to land abutting on the parts of the highway to be designated, at the addresses shown for such persons in the roll. Notice

(3) The City Clerk shall determine whether the information referred to in subsection (2) is appropriate for the purpose, and the determination thereof by the City Clerk and of the persons entitled to notice shall be evidenced by a certificate of the City Clerk and when so evidenced is final and conclusive. Determination by
City Clerk

(4) Nothing in subsection (2) authorizes the City Clerk to act on the basis of information not contained in the assessment roll unless it is reasonable for the City Clerk to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date. Proviso

(5) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within one month next following the latest day of the mailing of any such notices, the Corporation may pass the by-law but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within such time, the Corporation shall not pass the by-law. Petition

(6) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition objecting thereto having been presented under subsection (5), the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition. Saving

Reserve fund (7) The net revenue derived from the operation of the permit parking shall be paid into a reserve fund and applied as set out in clause (f) of paragraph 55 of section 208 of the R.S.O. 1980, *Municipal Act*, c. 302

Enforcement (8) A by-law under this section may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person, other than the owner or his or her chauffeur, without the owner's consent.

Definitions **6.—(1)** In this section,

R.S.O. 1980, "building" means a building as defined in the *Building Code Act*; c. 51

"hazard building" means a building to which two or more of the following criteria apply, namely,

1986, c. 26
1983, c. 1 (a) an application to demolish has been made to the council of the Corporation under the *Rental Housing Protection Act, 1986* or section 33 of the *Planning Act, 1983*, unless permission has been granted under those Acts and demolition of the building has been commenced,

R.S.O. 1980, (b) a building permit for work to be done has been issued under the *Building Code Act* and no work has been done under the building permit for a period of at least twelve consecutive months, c. 51

(c) damage of any kind to any part of the building has occurred by reason of fire and the damage has not been repaired,

(d) the building does not contain an operational heating system capable of maintaining an inside temperature of 10 degrees Celsius throughout the building at an outside temperature of —18 degrees Celsius,

(e) the supply of electrical power has been discontinued by the Toronto Electric Commissioners and not reinstated,

(f) a building within which any piping for the flow of water has been ruptured and the piping has not been repaired, or

- (g) damage of any kind has been sustained to any part of a ceiling, floor or wall as a result of the conditions described in clauses (d), (e) or (f) and the damage has not been repaired;

“inspector” means a person designated by either the Fire Chief of the Corporation or the Commissioner of Buildings and Inspections of the Corporation as an inspector for the purpose of administering and enforcing a by-law enacted under this section;

“non-hazard building” means a building which is not a hazard building;

“owner” means the owner of a building and includes,

- (a) the person for the time being managing or receiving the rent of the building whether on his or her own account or as agent or trustee of any other person or who would so receive the rent if the building were let,
- (b) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or
- (c) the person for the time being receiving instalments of the purchase price of the building under an agreement of purchase and sale on his or her own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if the building were sold under an agreement for sale.

(2) The council of the Corporation may pass by-laws,

By-laws re
vacant
buildings

- (a) prescribing standards to protect against entry of a vacant hazard building or vacant non-hazard building or to detect and signal the presence of a person within a vacant hazard building or vacant non-hazard building;
- (b) requiring an owner of a vacant hazard building to comply with the standards set out in the by-law; and
- (c) requiring an owner of a non-hazard building to comply with the standards set out in the by-law within 180 days of the building becoming vacant.

(3) If,

Non-
compliance
order

- (a) an owner of a vacant hazard building does not comply with the standards established under clause (2) (a); or
- (b) an owner of a non-hazard building does not comply with the standards established under clause (2) (a) within 180 days of the building becoming vacant,

an inspector may, by personal service or by registered mail in accordance with subsection (5), serve upon each person shown by the records of the land registry office to be either an owner or a mortgagee of the land upon which the building is located an order in writing directing compliance with the standards established under clause (2) (a) within such time as the inspector specifies in the order.

Contents
of order

(4) Where an inspector serves an order under subsection (3), the order shall contain sufficient information to specify the non-compliance and the work required to comply with the standards established under clause (2) (a).

Service

(5) Where an order prepared under subsection (3) is sent by registered mail to the last known address of the person upon whom it is to be served and a copy thereof is affixed to the building upon which the work is to be done, the order shall be deemed to be properly served upon the person to whom it is sent.

When
Corporation
may do work

(6) Where an order has been served under subsection (3) and the work specified in the order is not done by the time specified therein, the Corporation, in addition to any other remedies it may have, may do the work required to be done by the order.

Lien

(7) The Corporation shall have a lien for any amount expended by or on behalf of the Corporation under subsection (6) and for a fee covering the reasonable administrative costs of the Corporation, together with interest thereon at a rate to be fixed from time to time by the council, and the certificate of the Clerk of the Corporation as to the total amount shall be final and such total amount may be added to the collector's roll to be collected in one year or to the proper collector's rolls to be collected by instalments over a period of not more than five years and the total of each instalment may be collected in the same manner as real property taxes.

Entry

(8) An officer, employee or agent of the Corporation or an inspector may enter and have access to, through and over any non-hazard building or hazard building for the purposes of

enforcing this section or a by-law made thereunder and includes,

- (a) the making of examinations, investigations, tests or inquiries; and
- (b) the doing of such work as is authorized under subsection (6).

(9) The authority under subsection (8) shall be exercised only at reasonable times. Reasonable times

(10) A person mentioned in subsection (8) shall, upon request, produce proper identification, including evidence of that person's authority or appointment, before entering a hazard or non-hazard building. Produce identification

(11) Subsection (8) is not authority to enter a private residence actually being used as a dwelling without the consent of the occupier. Private residences

(12) A copy of any written or recorded material related to an examination, investigation, test or inquiry and purporting to be certified by a person mentioned in subsection (8) is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the original. Evidence

(13) If an owner of a non-hazard building or a hazard building cannot be located or if the owner or an agent, officer or employee of the owner, Application for a warrant

- (a) denies entry or access to, through or over the non-hazard building or hazard building to a person mentioned in subsection (8);
- (b) instructs a person mentioned in subsection (8) to leave the non-hazard building or hazard building;
- (c) obstructs a person mentioned in subsection (8) who is acting for a purpose mentioned in that subsection; or
- (d) refuses to comply with a request for the production of any thing the production of which is requested for the purpose of an examination, investigation, test or inquiry for a purpose mentioned in subsection (8),

a person mentioned in subsection (8) may apply to a justice of the peace for a warrant under subsection (16).

Obstruction
prohibited

(14) No person shall hinder or obstruct a person mentioned in subsection (8) lawfully carrying out a power, duty or a direction under this section or a by-law enacted under this section.

Refusal of
entry

(15) A refusal of consent to enter a private residence is not and shall not be deemed to be hindering or obstructing within the meaning of subsection (14).

Warrant by
justice of the
peace

(16) Where a justice of the peace is satisfied on evidence upon oath,

- (a) that there is reasonable and probable ground for believing that it is necessary to enter and have access to, through and over any non-hazard building or hazard building, for any purpose mentioned in subsection (8);
- (b) that the owner of a non-hazard building or hazard building cannot be located; or
- (c) that a person mentioned in subsection (8),
 - (i) has been denied entry to a non-hazard building or hazard building,
 - (ii) has been instructed to leave a non-hazard building or hazard building,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation, test or inquiry,

the justice of the peace may issue a warrant authorizing a person mentioned in subsection (8) to act as mentioned in clause (a) in respect of the premises specified in the warrant, by force if necessary, together with such police officer or officers as that person may call upon for assistance.

Execution of
warrant

(17) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(18) A warrant issued under this section shall state the date on which it expires, which shall be a date not later than fifteen days after the warrant is issued.

(19) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the owner of the non-hazard building or hazard building.

Ex parte
application

7.—(1) Section 3 of *The City of Toronto Act, 1964*, being chapter 145, is repealed.

(2) Section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended by the Statutes of Ontario, 1966, chapter 187, section 5, 1971, chapter 130, section 12, 1972, chapter 199, section 4, 1973, chapter 213, section 9, 1976, chapter 105, section 2 and 1980, chapter 126, section 2, is repealed.

(3) Section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended by the Statutes of Ontario, 1981, chapter 103, section 3, is repealed.

8.—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Commence-
ment

(2) Section 2 comes into force sixty days after the day this Act receives Royal Assent.

Idem

9. The short title of this Act is the *City of Toronto Act, 1987*.

Short title

Bill Pr56

An Act respecting the City of Toronto

Mr. Kanter

1st Reading November 30th, 1987

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTES

SECTION 1. This section permits the City to lease for parking purposes, free from restrictions contained in the 1903 legislation, certain lands which it owns on Fleet Street.

SECTION 2. This section has the effect of re-enacting section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended. Changes are made to the definition of "social housing" and to the powers of council in dealing with by-laws pertaining to social housing, residential densities for social housing and agreements pertaining to social housing.

SECTION 3. The purpose of this section is to permit by-laws designating bus parking areas on highways, to regulate the use of and times of operation of the areas so designated and to prohibit any vehicle other than a bus from parking, stopping or standing within such designated area.

SECTION 4. This provision has the effect of re-enacting section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended, respecting permit parking. The only substantive change is found in clause 4 (1) (e) which allows a vehicle that has a permit to park without using a parking meter or other parking device.

SECTION 5. The purpose of this section is to give council the authority to deal with vacant buildings which pose fire and safety problems.

Bill Pr56

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 10 (6) of *An Act respecting The City of Toronto*, being chapter 86 of the Statutes of Ontario, 1903, the Corporation may lease to any person for parking purposes, on such terms and conditions as may be agreed upon, any part of the lands in the Ordnance Reserve Plan bounded on the north by the Frederick C. Gardiner Expressway lands, on the south by Fleet Street, on the west by Strachan Avenue and on the east by the west limit of Garrison Road, until such time as the lands are required by the Commissioner of Parks and Recreation of the Corporation for parks purposes.

Power of council to lease land for parking purposes

2.—(1) In this section, “social housing program” means a program or project,

Definition

- (a) that, in the opinion of the council of the Corporation, is designed to provide housing accommodation primarily for persons with low to moderate incomes, at a charge not exceeding the greater of,
 - (i) the amount required to finance, operate and maintain such accommodation without profit, or
 - (ii) the amount required to be charged for such accommodation under the terms of an agreement respecting the financing of the accommodation where one party is the provincial or federal government or an agency thereof,

and such accommodation is entirely owned by or leased to, and operated by one or more of,

1986, c. 63 (iii) a "non-profit co-operative housing corporation" as defined in the *Residential Rent Regulation Act, 1986*, or

R.S.C. 1970,
c. N-10 (iv) a "non-profit corporation" as defined in the *National Housing Act (Canada)*; or

(b) that provides housing accommodation that is owned and operated by or on behalf of the City of Toronto Non-Profit Housing Corporation.

By-laws
respecting
densities
1983, c. 1

(2) In any by-law passed under section 34 of the *Planning Act, 1983*, the council of the Corporation may, in addition to prescribing densities under the authority of that section, prescribe one or more residential densities of development applicable to any land in respect of which the owner of the land and the operator of the housing accommodation, if different from the owner, agrees with the Corporation to provide all or such proportion as specified in the by-law, of the housing accommodation located or to be located on such land, for the purpose of a social housing program.

Requiring
agreements

(3) The Corporation may require an owner, and operator if different from the owner, to enter into one or more agreements respecting the provision of social housing accommodation referred to in subsection (2).

Registration
of
agreements

R.S.O. 1980,
cc. 445, 230

(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Validity of
agreements

(5) No agreement made under subsection (3) shall be declared to be invalid by reason only of the failure to specify particulars of a social housing program.

Consent of
City required
for
conveyance,
etc.

(6) Where an agreement has been registered under subsection (4), no person shall, during the operation of the agreement, convey any unit of housing accommodation which is part of a social housing program, by way of deed or transfer, or grant, assign or exercise a power of appointment with respect to the unit, or mortgage or charge the unit, or enter into an agreement of sale and purchase respecting the unit, or enter into any agreement which has the effect of granting the use of or right in the unit directly or by entitlement to renewal

for a period of twenty-one years or more without the written consent of the Corporation.

(7) Where an agreement has been registered under subsection (4), an agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of subsection (6), does not create or convey any interest in the unit.

Conveyance,
etc., contrary
to subs. (6)

(8) Where notice of an agreement under subsection (4) has been registered against land to which the *Land Titles Act* applies, the Corporation shall apply to the Land Registrar to have an entry made on the register that,

Where
R.S.O. 1980,
c. 230 applies
R.S.O. 1980,
c. 230

- (a) no transfer shall be made or charge created;
- (b) no notice of agreement of sale and purchase shall be registered; and
- (c) no lease or notice of lease having the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more shall be registered,

unless the consent of the Corporation is given to such transfer, charge, notice of agreement, lease or notice of lease and subsection 117 (4) of the *Land Titles Act* applies.

R.S.O. 1980,
c. 230

(9) Where a written consent under subsection (6) has been given by the Corporation, the clerk of the Corporation shall provide a certificate, in registrable form, to the person obtaining the consent stating that the written consent of the Corporation has been obtained and the certificate of the clerk is conclusive evidence that the consent was given and that the provisions of this section leading to the consent have been complied with and, after the certificate has been given, no action may be maintained to question the validity of the consent and the certificate may be registered in the proper land registry office.

Certificate of
clerk

(10) No by-law passed by the council that implements subsection (2) shall be invalidated by reason only that the effect thereof is to restrict occupancy of housing accommodation to such persons or class or classes of persons as are set out in the by-law.

Validity of
by-laws
restricting
occupancy

(11) A by-law that implements subsection (2) may provide that any person entering into an agreement under subsection (3) who fails to provide the proportion or number of units for such period of time as may be specified in the agreement for

Offence

the purposes of a social housing program is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000.

Damages

(12) In addition to the penalty set out in subsection (11), every owner who contravenes any of the provisions of an agreement entered into under subsection (3) is liable for damages payable to the Corporation in an amount equal to the difference between the charge that should have been made for the housing accommodation under the agreement and the actual charge made for such housing accommodation for the period of time that the owner or operator has contravened the agreement and such damages may be recovered as a debt due to the Corporation.

Contents of agreement

(13) Subsections (6), (7) and (8) do not apply to an agreement unless those subsections are set out in the agreement.

Exemptions or reductions
1983, c. 1

(14) In any by-law passed under section 34 of the *Planning Act, 1983* that implements subsection (2), the council of the Corporation may give exemptions or reductions, or both, from the zoning provisions and standards otherwise applicable to similar forms of housing accommodation which are not part of a social housing program.

Council not required to pass by-law
1983, c. 1

(15) The council of the Corporation shall not be required to pass any by-law under subsection (2) notwithstanding subsection 34 (11) of the *Planning Act, 1983* and notwithstanding that any proposed development complies with the definition of social housing program in subsection (1).

Agreements with owner

(16) The Corporation may enter into an agreement with the owner of land proposing a development on the land that is to contain housing accommodation for the purposes of a social housing program but for which no by-law under section 34 of the *Planning Act, 1983* prescribing the matters set out in subsection (2) is required and the agreement may contain provisions respecting the maintenance of the accommodation and such other terms as are agreed between the owner and the Corporation and subsections (4), (5), (6), (7), (8), (9) and (13) apply to the agreement.

Deeming provision

1975, c. 117

(17) A reference in any by-law passed by the council of the Corporation before this section comes into force to "assisted housing", "assisted housing program" or an "owner" of land who has entered an agreement under section 5 of *The City of Toronto Act, 1975 (No. 2)* shall be deemed to be references to "social housing", "social housing program" and an "owner of land and operator of the housing accommodation if different from the owner", respectively.

(18) Any by-law passed under subsection 5 (2) and any agreement entered into under subsection 5 (3) of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, before this Act comes into force, shall continue in full force and effect until repealed or revoked by the Corporation.

By-laws and
agreements
continued
1975, c. 117

3.—(1) In this section,

Definitions

“bus” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

“City Clerk” means the clerk of the corporation;

“motor vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a street car, or other motor vehicles running only upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

(2) The council of the Corporation may pass by-laws,

By-laws
designating
zones for
parking buses

- (a) designating zones for the parking of buses on public highways under the jurisdiction of the Corporation;
- (b) regulating the use of such designated zones;
- (c) providing for the time or times during which such designated zones shall operate; and
- (d) prohibiting the parking, stopping or standing of any vehicle other than a bus within such designated zones.

4.—(1) The council of the Corporation may by by-law,

By-laws
respecting
permit
parking

- (a) allow the parking of motor vehicles, or any class or classes thereof, on designated public highways or parts of highways during specified hours pursuant to permits issued to the owners of the vehicles by an official named in the by-law;

- (b) charge such fee as the council may decide for the parking permit;
- (c) provide for cancelling the permits and refunding the unexpired portion of the fee;
- (d) prohibit the parking of motor vehicles on the designated public highways or parts of highways during the specified hours unless a permit has been issued under the by-law; and
- (e) allow persons to whom a permit has been issued under the by-law to park the motor vehicle in respect of which such permit has been issued on public highways or parts thereof designated under the by-law without using any automatic or other mechanical meter or device erected thereon.

Notice

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the by-law shall be sent by prepaid mail to all persons rated on the last assessment roll returned to the City Clerk, as amended by decisions of the Assessment Review Board and by written information received by the City Clerk with respect to land abutting on the parts of the highway to be designated, at the addresses shown for such persons in the roll.

Determination by
City Clerk

(3) The City Clerk shall determine whether the information referred to in subsection (2) is appropriate for the purpose, and the determination thereof by the City Clerk and of the persons entitled to notice shall be evidenced by a certificate of the City Clerk and when so evidenced is final and conclusive.

Proviso

(4) Nothing in subsection (2) authorizes the City Clerk to act on the basis of information not contained in the assessment roll unless it is reasonable for the City Clerk to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date.

Petition

(5) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within one month next following the latest day of the mailing of any such notices, the Corporation may pass the by-law but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within such time, the Corporation shall not pass the by-law.

(6) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition objecting thereto having been presented under subsection (5), the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

Saving

(7) The net revenue derived from the operation of the permit parking shall be paid into a reserve fund and applied as set out in clause (f) of paragraph 55 of section 208 of the *Municipal Act*.

Reserve fund

R.S.O. 1980,
c. 302

(8) A by-law under this section may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person, other than the owner or his or her chauffeur, without the owner's consent.

Enforcement

5.—(1) In this section,

Definitions

“building” means a building as defined in the *Building Code Act*;

R.S.O. 1980,
c. 51

“hazard building” means a building to which two or more of the following criteria apply, namely,

(a) an application to demolish has been made to the council of the Corporation under the *Rental Housing Protection Act, 1986* or section 33 of the *Planning Act, 1983*, unless permission has been granted under those Acts and demolition of the building has been commenced,

1986, c. 26
1983, c. 1

(b) a building permit for work to be done has been issued under the *Building Code Act* and no work has been done under the building permit for a period of at least twelve consecutive months,

R.S.O. 1980,
c. 51

(c) damage of any kind to any part of the building has occurred by reason of fire and the damage has not been repaired,

(d) the building does not contain an operational heating system capable of maintaining an inside tempera-

ture of 10 degrees Celsius throughout the building at an outside temperature of 18 degrees Celsius,

- (e) the supply of electrical power has been discontinued by the Toronto Electric Commissioners and not reinstated,
- (f) a building within which any piping for the flow of water has been ruptured and the piping has not been repaired, or
- (g) damage of any kind has been sustained to any part of a ceiling, floor or wall as a result of the conditions described in clauses (d), (e) or (f) and the damage has not been repaired;

“inspector” means a person designated by either the Fire Chief of the Corporation or the Commissioner of Buildings and Inspections of the Corporation as an inspector for the purpose of administering and enforcing a by-law enacted under this section;

“non-hazard building” means a building which is not a hazard building;

“owner” means the owner of a building and includes,

- (a) the person for the time being managing or receiving the rent of the building whether on his or her own account or as agent or trustee of any other person or who would so receive the rent if the building were let,
- (b) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or
- (c) the person for the time being receiving instalments of the purchase price of the building under an agreement of purchase and sale on his or her own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if the building were sold under an agreement for sale.

By-laws re
vacant
buildings

(2) The council of the Corporation may pass by-laws,

- (a) prescribing standards to protect against entry of a vacant hazard building or vacant non-hazard building or to detect and signal the presence of a person

within a vacant hazard building or vacant non-hazard building;

- (b) requiring an owner of a vacant hazard building to comply with the standards set out in the by-law; and
- (c) requiring an owner of a non-hazard building to comply with the standards set out in the by-law within 180 days of the building becoming vacant.

(3) If,

Non-compliance order

- (a) an owner of a vacant hazard building does not comply with the standards established under clause (2) (a); or
- (b) an owner of a non-hazard building does not comply with the standards established under clause (2) (a) within 180 days of the building becoming vacant,

an inspector may, by personal service or by registered mail in accordance with subsection (5), serve upon each person shown by the records of the land registry office to be either an owner or a mortgagee of the land upon which the building is located an order in writing directing compliance with the standards established under clause (2) (a) within such time as the inspector specifies in the order.

(4) Where an inspector serves an order under subsection (3), the order shall contain sufficient information to specify the non-compliance and the work required to comply with the standards established under clause (2) (a).

Contents of order

(5) Where an order prepared under subsection (3) is sent by registered mail to the last known address of the person upon whom it is to be served and a copy thereof is affixed to the building upon which the work is to be done, the order shall be deemed to be properly served upon the person to whom it is sent.

Service

(6) Where an order has been served under subsection (3) and the work specified in the order is not done by the time specified therein, the Corporation, in addition to any other remedies it may have, may do the work required to be done by the order.

When Corporation may do work

(7) The Corporation shall have a lien for any amount expended by or on behalf of the Corporation under subsection (6) and for a fee covering the reasonable administrative costs of the Corporation, together with interest thereon at a rate to

Lien

be fixed from time to time by the council, and the certificate of the Clerk of the Corporation as to the total amount shall be final and such total amount may be added to the collector's roll to be collected in one year or to the proper collector's rolls to be collected by instalments over a period of not more than five years and the total of each instalment may be collected in the same manner as real property taxes.

Entry

(8) An officer, employee or agent of the Corporation or an inspector may enter and have access to, through and over any non-hazard building or hazard building for the purposes of enforcing this section or a by-law made thereunder and includes,

- (a) the making of examinations, investigations, tests or inquiries; and
- (b) the doing of such work as is authorized under subsection (6).

Reasonable
times

(9) The authority under subsection (8) shall be exercised only at reasonable times.

Produce
identification

(10) A person mentioned in subsection (8) shall, upon request, produce proper identification, including evidence of that person's authority or appointment, before entering a hazard or non-hazard building.

Private
residences

(11) Subsection (8) is not authority to enter a private residence actually being used as a dwelling without the consent of the occupier.

Evidence

(12) A copy of any written or recorded material related to an examination, investigation, test or inquiry and purporting to be certified by a person mentioned in subsection (8) is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the original.

Application
for a warrant

(13) If an owner of a non-hazard building or a hazard building cannot be located or if the owner or an agent, officer or employee of the owner,

- (a) denies entry or access to, through or over the non-hazard building or hazard building to a person mentioned in subsection (8);
- (b) instructs a person mentioned in subsection (8) to leave the non-hazard building or hazard building;

- (c) obstructs a person mentioned in subsection (8) who is acting for a purpose mentioned in that subsection; or
- (d) refuses to comply with a request for the production of any thing the production of which is requested for the purpose of an examination, investigation, test or inquiry for a purpose mentioned in subsection (8),

a person mentioned in subsection (8) may apply to a justice of the peace for a warrant under subsection (16).

(14) No person shall hinder or obstruct a person mentioned in subsection (8) lawfully carrying out a power, duty or a direction under this section or a by-law enacted under this section. Obstruction prohibited

(15) A refusal of consent to enter a private residence is not and shall not be deemed to be hindering or obstructing within the meaning of subsection (14). Refusal of entry

(16) Where a justice of the peace is satisfied on evidence upon oath, Warrant by justice of the peace

- (a) that there is reasonable and probable ground for believing that it is necessary to enter and have access to, through and over any non-hazard building or hazard building, for any purpose mentioned in subsection (8);
- (b) that the owner of a non-hazard building or hazard building cannot be located; or
- (c) that a person mentioned in subsection (8),
 - (i) has been denied entry to a non-hazard building or hazard building,
 - (ii) has been instructed to leave a non-hazard building or hazard building,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation, test or inquiry,

the justice of the peace may issue a warrant authorizing a person mentioned in subsection (8) to act as mentioned in clause

(a) in respect of the premises specified in the warrant, by force if necessary, together with such police officer or officers as that person may call upon for assistance.

Execution of
warrant

(17) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(18) A warrant issued under this section shall state the date on which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(19) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the owner of the non-hazard building or hazard building.

6.—(1) Section 3 of *The City of Toronto Act, 1964*, being chapter 145, is repealed.

(2) Section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended by the Statutes of Ontario, 1966, chapter 187, section 5, 1971, chapter 130, section 12, 1972, chapter 199, section 4, 1973, chapter 213, section 9, 1976, chapter 105, section 2 and 1980, chapter 126, section 2, is repealed.

(3) Section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended by the Statutes of Ontario, 1981, chapter 103, section 3, is repealed.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *City of Toronto Act, 1988*.



Bill Pr56

*(Chapter Pr29
Statutes of Ontario, 1988)*

An Act respecting the City of Toronto

Mr. Kanter

<i>1st Reading</i>	November 30th, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr56

1987

An Act respecting the City of Toronto

Whereas The Corporation of the City of Toronto, herein Preamble
called the Corporation, hereby applies for special legislation
in respect of the matters hereinafter set forth; and whereas it
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 10 (6) of *An Act respecting The City of Toronto*, being chapter 86 of the Statutes of Ontario, 1903, the Corporation may lease to any person for parking purposes, on such terms and conditions as may be agreed upon, any part of the lands in the Ordnance Reserve Plan bounded on the north by the Frederick C. Gardiner Expressway lands, on the south by Fleet Street, on the west by Strachan Avenue and on the east by the west limit of Garrison Road, until such time as the lands are required by the Commissioner of Parks and Recreation of the Corporation for parks purposes. Power of council to lease land for parking purposes

2.—(1) In this section, “social housing program” means a Definition
program or project,

- (a) that, in the opinion of the council of the Corporation, is designed to provide housing accommodation primarily for persons with low to moderate incomes, at a charge not exceeding the greater of,
 - (i) the amount required to finance, operate and maintain such accommodation without profit, or
 - (ii) the amount required to be charged for such accommodation under the terms of an agreement respecting the financing of the accommodation where one party is the provincial or federal government or an agency thereof,

and such accommodation is entirely owned by or leased to, and operated by one or more of,

1986, c. 63

(iii) a "non-profit co-operative housing corporation" as defined in the *Residential Rent Regulation Act, 1986*, or

R.S.C. 1970,
c. N-10

(iv) a "non-profit corporation" as defined in the *National Housing Act (Canada)*; or

(b) that provides housing accommodation that is owned and operated by or on behalf of the City of Toronto Non-Profit Housing Corporation.

By-laws
respecting
densities
1983, c. 1

(2) In any by-law passed under section 34 of the *Planning Act, 1983*, the council of the Corporation may, in addition to prescribing densities under the authority of that section, prescribe one or more residential densities of development applicable to any land in respect of which the owner of the land and the operator of the housing accommodation, if different from the owner, agrees with the Corporation to provide all or such proportion as specified in the by-law, of the housing accommodation located or to be located on such land, for the purpose of a social housing program.

Requiring
agreements

(3) The Corporation may require an owner, and operator if different from the owner, to enter into one or more agreements respecting the provision of social housing accommodation referred to in subsection (2).

Registration
of
agreements

R.S.O. 1980,
cc. 445, 230

(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the Corporation is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Validity of
agreements

(5) No agreement made under subsection (3) shall be declared to be invalid by reason only of the failure to specify particulars of a social housing program.

Consent of
City required
for
conveyance,
etc.

(6) Where an agreement has been registered under subsection (4), no person shall, during the operation of the agreement, convey any unit of housing accommodation which is part of a social housing program, by way of deed or transfer, or grant, assign or exercise a power of appointment with respect to the unit, or mortgage or charge the unit, or enter into an agreement of sale and purchase respecting the unit, or enter into any agreement which has the effect of granting the use of or right in the unit directly or by entitlement to renewal

for a period of twenty-one years or more without the written consent of the Corporation.

(7) Where an agreement has been registered under subsection (4), an agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of subsection (6), does not create or convey any interest in the unit.

Conveyance,
etc., contrary
to subs. (6)

(8) Where notice of an agreement under subsection (4) has been registered against land to which the *Land Titles Act* applies, the Corporation shall apply to the Land Registrar to have an entry made on the register that,

Where
R.S.O. 1980,
c. 230 applies
R.S.O. 1980,
c. 230

- (a) no transfer shall be made or charge created;
- (b) no notice of agreement of sale and purchase shall be registered; and
- (c) no lease or notice of lease having the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more shall be registered,

unless the consent of the Corporation is given to such transfer, charge, notice of agreement, lease or notice of lease and subsection 117 (4) of the *Land Titles Act* applies.

R.S.O. 1980,
c. 230

(9) Where a written consent under subsection (6) has been given by the Corporation, the clerk of the Corporation shall provide a certificate, in registrable form, to the person obtaining the consent stating that the written consent of the Corporation has been obtained and the certificate of the clerk is conclusive evidence that the consent was given and that the provisions of this section leading to the consent have been complied with and, after the certificate has been given, no action may be maintained to question the validity of the consent and the certificate may be registered in the proper land registry office.

Certificate of
clerk

(10) No by-law passed by the council that implements subsection (2) shall be invalidated by reason only that the effect thereof is to restrict occupancy of housing accommodation to such persons or class or classes of persons as are set out in the by-law.

Validity of
by-laws
restricting
occupancy

(11) A by-law that implements subsection (2) may provide that any person entering into an agreement under subsection (3) who fails to provide the proportion or number of units for such period of time as may be specified in the agreement for

Offence

the purposes of a social housing program is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000.

Damages

(12) In addition to the penalty set out in subsection (11), every owner who contravenes any of the provisions of an agreement entered into under subsection (3) is liable for damages payable to the Corporation in an amount equal to the difference between the charge that should have been made for the housing accommodation under the agreement and the actual charge made for such housing accommodation for the period of time that the owner or operator has contravened the agreement and such damages may be recovered as a debt due to the Corporation.

Contents of agreement

(13) Subsections (6), (7) and (8) do not apply to an agreement unless those subsections are set out in the agreement.

Exemptions or reductions
1983, c. 1

(14) In any by-law passed under section 34 of the *Planning Act, 1983* that implements subsection (2), the council of the Corporation may give exemptions or reductions, or both, from the zoning provisions and standards otherwise applicable to similar forms of housing accommodation which are not part of a social housing program.

Council not required to pass by-law
1983, c. 1

(15) The council of the Corporation shall not be required to pass any by-law under subsection (2) notwithstanding subsection 34 (11) of the *Planning Act, 1983* and notwithstanding that any proposed development complies with the definition of social housing program in subsection (1).

Agreements with owner

(16) The Corporation may enter into an agreement with the owner of land proposing a development on the land that is to contain housing accommodation for the purposes of a social housing program but for which no by-law under section 34 of the *Planning Act, 1983* prescribing the matters set out in subsection (2) is required and the agreement may contain provisions respecting the maintenance of the accommodation and such other terms as are agreed between the owner and the Corporation and subsections (4), (5), (6), (7), (8), (9) and (13) apply to the agreement.

Deeming provision

1975, c. 117

(17) A reference in any by-law passed by the council of the Corporation before this section comes into force to "assisted housing", "assisted housing program" or an "owner" of land who has entered an agreement under section 5 of *The City of Toronto Act, 1975 (No. 2)* shall be deemed to be references to "social housing", "social housing program" and an "owner of land and operator of the housing accommodation if different from the owner", respectively.

(18) Any by-law passed under subsection 5 (2) and any agreement entered into under subsection 5 (3) of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, before this Act comes into force, shall continue in full force and effect until repealed or revoked by the Corporation.

By-laws and
agreements
continued
1975, c. 117

3.—(1) In this section,

Definitions

“bus” means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

“City Clerk” means the clerk of the corporation;

“motor vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power but does not include a street car, or other motor vehicles running only upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

(2) The council of the Corporation may pass by-laws,

By-laws
designating
zones for
parking buses

- (a) designating zones for the parking of buses on public highways under the jurisdiction of the Corporation;
- (b) regulating the use of such designated zones;
- (c) providing for the time or times during which such designated zones shall operate; and
- (d) prohibiting the parking, stopping or standing of any vehicle other than a bus within such designated zones.

4.—(1) The council of the Corporation may by by-law,

By-laws
respecting
permit
parking

- (a) allow the parking of motor vehicles, or any class or classes thereof, on designated public highways or parts of highways during specified hours pursuant to permits issued to the owners of the vehicles by an official named in the by-law;

- (b) charge such fee as the council may decide for the parking permit;
- (c) provide for cancelling the permits and refunding the unexpired portion of the fee;
- (d) prohibit the parking of motor vehicles on the designated public highways or parts of highways during the specified hours unless a permit has been issued under the by-law; and
- (e) allow persons to whom a permit has been issued under the by-law to park the motor vehicle in respect of which such permit has been issued on public highways or parts thereof designated under the by-law without using any automatic or other mechanical meter or device erected thereon.

Notice

(2) Before passing a by-law under this section, notice of the intention of the Corporation to pass the by-law shall be sent by prepaid mail to all persons rated on the last assessment roll returned to the City Clerk, as amended by decisions of the Assessment Review Board and by written information received by the City Clerk with respect to land abutting on the parts of the highway to be designated, at the addresses shown for such persons in the roll.

Determination by
City Clerk

(3) The City Clerk shall determine whether the information referred to in subsection (2) is appropriate for the purpose, and the determination thereof by the City Clerk and of the persons entitled to notice shall be evidenced by a certificate of the City Clerk and when so evidenced is final and conclusive.

Proviso

(4) Nothing in subsection (2) authorizes the City Clerk to act on the basis of information not contained in the assessment roll unless it is reasonable for the City Clerk to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date.

Petition

(5) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within one month next following the latest day of the mailing of any such notices, the Corporation may pass the by-law but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the City Clerk within such time, the Corporation shall not pass the by-law.

(6) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition objecting thereto having been presented under subsection (5), the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

Saving

(7) The net revenue derived from the operation of the permit parking shall be paid into a reserve fund and applied as set out in clause (f) of paragraph 55 of section 208 of the *Municipal Act*.

Reserve fund

R.S.O. 1980,
c. 302

(8) A by-law under this section may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person, other than the owner or his or her chauffeur, without the owner's consent.

Enforcement

5.—(1) In this section,

Definitions

“building” means a building as defined in the *Building Code Act*;

R.S.O. 1980,
c. 51

“hazard building” means a building to which two or more of the following criteria apply, namely,

(a) an application to demolish has been made to the council of the Corporation under the *Rental Housing Protection Act, 1986* or section 33 of the *Planning Act, 1983*, unless permission has been granted under those Acts and demolition of the building has been commenced,

1986, c. 26
1983, c. 1

(b) a building permit for work to be done has been issued under the *Building Code Act* and no work has been done under the building permit for a period of at least twelve consecutive months,

R.S.O. 1980,
c. 51

(c) damage of any kind to any part of the building has occurred by reason of fire and the damage has not been repaired,

(d) the building does not contain an operational heating system capable of maintaining an inside tempera-

ture of 10 degrees Celsius throughout the building at an outside temperature of 18 degrees Celsius,

- (e) the supply of electrical power has been discontinued by the Toronto Electric Commissioners and not reinstated,
- (f) a building within which any piping for the flow of water has been ruptured and the piping has not been repaired, or
- (g) damage of any kind has been sustained to any part of a ceiling, floor or wall as a result of the conditions described in clauses (d), (e) or (f) and the damage has not been repaired;

“inspector” means a person designated by either the Fire Chief of the Corporation or the Commissioner of Buildings and Inspections of the Corporation as an inspector for the purpose of administering and enforcing a by-law enacted under this section;

“non-hazard building” means a building which is not a hazard building;

“owner” means the owner of a building and includes,

- (a) the person for the time being managing or receiving the rent of the building whether on his or her own account or as agent or trustee of any other person or who would so receive the rent if the building were let,
- (b) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or
- (c) the person for the time being receiving instalments of the purchase price of the building under an agreement of purchase and sale on his or her own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if the building were sold under an agreement for sale.

By-laws re
vacant
buildings

(2) The council of the Corporation may pass by-laws,

- (a) prescribing standards to protect against entry of a vacant hazard building or vacant non-hazard building or to detect and signal the presence of a person

within a vacant hazard building or vacant non-hazard building;

- (b) requiring an owner of a vacant hazard building to comply with the standards set out in the by-law; and
- (c) requiring an owner of a non-hazard building to comply with the standards set out in the by-law within 180 days of the building becoming vacant.

(3) If,

Non-compliance order

- (a) an owner of a vacant hazard building does not comply with the standards established under clause (2) (a); or
- (b) an owner of a non-hazard building does not comply with the standards established under clause (2) (a) within 180 days of the building becoming vacant,

an inspector may, by personal service or by registered mail in accordance with subsection (5), serve upon each person shown by the records of the land registry office to be either an owner or a mortgagee of the land upon which the building is located an order in writing directing compliance with the standards established under clause (2) (a) within such time as the inspector specifies in the order.

(4) Where an inspector serves an order under subsection (3), the order shall contain sufficient information to specify the non-compliance and the work required to comply with the standards established under clause (2) (a).

Contents of order

(5) Where an order prepared under subsection (3) is sent by registered mail to the last known address of the person upon whom it is to be served and a copy thereof is affixed to the building upon which the work is to be done, the order shall be deemed to be properly served upon the person to whom it is sent.

Service

(6) Where an order has been served under subsection (3) and the work specified in the order is not done by the time specified therein, the Corporation, in addition to any other remedies it may have, may do the work required to be done by the order.

When Corporation may do work

(7) The Corporation shall have a lien for any amount expended by or on behalf of the Corporation under subsection (6) and for a fee covering the reasonable administrative costs of the Corporation, together with interest thereon at a rate to

Lien

be fixed from time to time by the council, and the certificate of the Clerk of the Corporation as to the total amount shall be final and such total amount may be added to the collector's roll to be collected in one year or to the proper collector's rolls to be collected by instalments over a period of not more than five years and the total of each instalment may be collected in the same manner as real property taxes.

Entry

(8) An officer, employee or agent of the Corporation or an inspector may enter and have access to, through and over any non-hazard building or hazard building for the purposes of enforcing this section or a by-law made thereunder and includes,

- (a) the making of examinations, investigations, tests or inquiries; and
- (b) the doing of such work as is authorized under subsection (6).

Reasonable times

(9) The authority under subsection (8) shall be exercised only at reasonable times.

Produce identification

(10) A person mentioned in subsection (8) shall, upon request, produce proper identification, including evidence of that person's authority or appointment, before entering a hazard or non-hazard building.

Private residences

(11) Subsection (8) is not authority to enter a private residence actually being used as a dwelling without the consent of the occupier.

Evidence

(12) A copy of any written or recorded material related to an examination, investigation, test or inquiry and purporting to be certified by a person mentioned in subsection (8) is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the original.

Application for a warrant

(13) If an owner of a non-hazard building or a hazard building cannot be located or if the owner or an agent, officer or employee of the owner,

- (a) denies entry or access to, through or over the non-hazard building or hazard building to a person mentioned in subsection (8);
- (b) instructs a person mentioned in subsection (8) to leave the non-hazard building or hazard building;

- (c) obstructs a person mentioned in subsection (8) who is acting for a purpose mentioned in that subsection; or
- (d) refuses to comply with a request for the production of any thing the production of which is requested for the purpose of an examination, investigation, test or inquiry for a purpose mentioned in subsection (8),

a person mentioned in subsection (8) may apply to a justice of the peace for a warrant under subsection (16).

(14) No person shall hinder or obstruct a person mentioned in subsection (8) lawfully carrying out a power, duty or a direction under this section or a by-law enacted under this section.

Obstruction
prohibited

(15) A refusal of consent to enter a private residence is not and shall not be deemed to be hindering or obstructing within the meaning of subsection (14).

Refusal of
entry

(16) Where a justice of the peace is satisfied on evidence upon oath,

Warrant by
justice of the
peace

- (a) that there is reasonable and probable ground for believing that it is necessary to enter and have access to, through and over any non-hazard building or hazard building, for any purpose mentioned in subsection (8);
- (b) that the owner of a non-hazard building or hazard building cannot be located; or
- (c) that a person mentioned in subsection (8),
 - (i) has been denied entry to a non-hazard building or hazard building,
 - (ii) has been instructed to leave a non-hazard building or hazard building,
 - (iii) has been obstructed, or
 - (iv) has been refused production of any thing related to an examination, investigation, test or inquiry,

the justice of the peace may issue a warrant authorizing a person mentioned in subsection (8) to act as mentioned in clause

(a) in respect of the premises specified in the warrant, by force if necessary, together with such police officer or officers as that person may call upon for assistance.

Execution of
warrant

(17) A warrant issued under this section shall be executed at reasonable times as specified in the warrant.

Expiry of
warrant

(18) A warrant issued under this section shall state the date on which it expires, which shall be a date not later than fifteen days after the warrant is issued.

Ex parte
application

(19) A justice of the peace may receive and consider an application for a warrant under this section without notice to and in the absence of the owner of the non-hazard building or hazard building.

6.—(1) Section 3 of *The City of Toronto Act, 1964*, being chapter 145, is repealed.

(2) Section 3 of *The City of Toronto Act, 1960-61*, being chapter 137, as amended by the Statutes of Ontario, 1966, chapter 187, section 5, 1971, chapter 130, section 12, 1972, chapter 199, section 4, 1973, chapter 213, section 9, 1976, chapter 105, section 2 and 1980, chapter 126, section 2, is repealed.

(3) Section 5 of *The City of Toronto Act, 1975 (No. 2)*, being chapter 117, as amended by the Statutes of Ontario, 1981, chapter 103, section 3, is repealed.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *City of Toronto Act, 1988*.

Bill Pr58

An Act respecting the City of North York

Mr. Polsinelli

1st Reading June 14th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr58

1988

An Act respecting the City of North York

Whereas The Corporation of the City of North York considers it desirable to establish a corporation to maintain, operate, manage, market and promote the North York Performing Arts Centre as an artistic, cultural, social, educational and recreational facility for the benefit of the City of North York and its inhabitants and in the public interest; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the corporation;

“City” means The Corporation of the City of North York;

“corporation” means The North York Performing Arts Centre Corporation as established by this Act;

“council” means the council of the City;

“North York Performing Arts Centre” means any land, buildings, fixtures and undertakings within the City of North York that is owned or available to or used by the corporation.

2.—(1) There is hereby established a corporation without share capital under the name of “The North York Performing Arts Centre Corporation”.

Corporation established

(2) The corporation shall be composed of those persons who comprise its board.

Composition

3. The corporation shall be carried on without the purpose of gain and any income or other accretions to the corporation shall be used in promoting its objects.

Non-profit corporation

Application
of 1982, c. 4,
s. 21

4. Section 21 of the *Business Corporations Act, 1982* applies with necessary modifications to oral and written contracts entered into in the name of or on behalf of the corporation before the day this Act comes into force.

Objects

5. The objects of the corporation, for charitable purposes, are to maintain, operate and manage the North York Performing Arts Centre for the benefit of the public and, without limiting the generality of the foregoing,

- (a) to provide facilities and services for the performing arts, the fine arts and other charitable and cultural activities;
- (b) to establish educational facilities and provide instruction in all areas of the arts;
- (c) to provide facilities and services for holding receptions, meetings, conferences, conventions, exhibitions and displays;
- (d) to operate an art gallery, gift shop, theatre, music hall, studio theatre, concert hall, ballroom, film, television or recording studio, refreshment stands and restaurants;
- (e) to promote the advancement of the performing and fine arts;
- (f) to present, produce, manage and conduct performances of the performing arts, including plays, dramas, comedies, revues, operas, concerts, musicals, television shows, video tapes, sound recordings, films, variety, ballets, shows and other artistic undertakings;
- (g) to promote and market the North York Performing Arts Centre; and
- (h) to oversee, arrange or contract for and supervise the design, construction and promotion of any building or structure for the North York Performing Arts Centre.

Board of
directors

6.—(1) The corporation shall have a board which shall manage, supervise and conduct the affairs of the corporation.

Composition
of board

(2) The board shall be composed of,

- (a) the mayor of the City who shall be a director by virtue of office; and
- (b) eleven other members appointed by the council by by-law of whom,
 - (i) three shall be members of council, and
 - (ii) eight shall not be members of council and shall include at least three representatives of the business community and at least two representatives of the arts community.

(3) Subject to subsection (4), the directors shall hold office until the expiration of the term of council that appointed them and until their successors are appointed. Term

(4) The first directors shall hold office for four years. First directors

(5) Directors shall serve without remuneration and no director shall directly or indirectly receive any profit from the office of director but a director may be paid or reimbursed for reasonable expenses incurred in the performance of the director's duties. Remuneration

7. A majority of the directors constitutes a quorum at any meeting of the board and if there are vacancies on the board, a majority of the remaining directors constitutes a quorum. Quorum

8.—(1) The meetings of the board shall be open to the public and no person shall be excluded from a meeting except for improper conduct as determined by the chairperson of the board. Open meetings

(2) Despite subsection (1), meetings of the board may be closed to the public during discussion of, Exceptions

- (a) employment matters, including wages, salaries, benefits, discipline and collective bargaining;
- (b) litigation and communications respecting solicitor-client relationships, including legal opinions and advice;
- (c) proposed or actual contracts with individuals, organizations and corporations and the financial results thereof; and
- (d) any other matter which the board in its discretion determines as appropriate for private discussion.

Indemnification

9.—(1) Subject to subsection (2), every director or officer of the corporation and the heirs, executors, administrators and other legal personal representatives of every director or officer shall be indemnified by the corporation from and against,

- (a) any liability and all costs, charges and expenses sustained or incurred in any action or proceeding that is proposed or commenced against him or her for any act done or permitted to be done in the execution of the person's duties; and
- (b) all other liability, costs, charges and expenses that the director or officer sustains or incurs in respect of the affairs of the corporation.

Limitation

(2) No director or officer of the corporation shall be indemnified by the corporation in respect of any liability, costs, charges or expenses sustained or incurred in connection with any action or proceeding unless the person acted honestly and in good faith with a view to the best interests of the corporation.

Duties of directors, officers

10. Every director and officer of the corporation shall exercise the powers and discharge the duties of the office honestly and in good faith with a view to the best interests of the corporation, and in connection therewith shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Officers

11.—(1) Subject to subsection (2), officers shall be appointed by the board with the prior approval of council to hold office until their successor is appointed.

First officers

(2) The first officers of the corporation shall be appointed for five years.

Manager

(3) The board shall appoint the commissioner of economic development of the City as the first general manager and first chief executive officer of the corporation.

Assistant manager

(4) The board shall appoint the civic projects officer of the City as the first assistant general manager of the corporation.

Legal counsel

(5) The board shall appoint the solicitor of the City as the first legal counsel for the corporation.

Treasurer

(6) The board shall appoint the treasurer of the City as the first treasurer of the corporation.

(7) The board shall appoint the clerk of the City as the first secretary of the corporation. Secretary

(8) The secretary shall, Duties of secretary

- (a) give notice of the meetings of the board;
- (b) keep all minutes of meetings and proceedings of the board; and
- (c) submit to the board at each of its meetings the minutes of the last meeting of the board.

12.—(1) All contracts exceeding \$500,000 that the corporation proposes to enter shall be submitted to council for its approval and, if approved, shall be executed by the secretary and the general manager. When prior approval of contracts required

(2) The procedures and practices of the board respecting contracts and tenders shall be substantially similar to the procedures and practices of the council respecting contracts and tenders. Procedures respecting contracts

(3) The board may enter into an agreement with any person to manage, operate or maintain the North York Performing Arts Centre or any part thereof but the prior approval of council is required in respect of any proposed agreement to operate the main theatre of the North York Performing Arts Centre. Agreements

13.—(1) The City may grant to the corporation, by by-law, any interest in real property held by the City for the purposes of the corporation. Real property

(2) Despite subsection (1), the City may by by-law assume the management of the land, buildings, fixtures and undertakings of the corporation, and in such event the corporation shall be divested of its responsibilities in relation to such property, as the City may determine. Assumption by City

(3) The corporation shall not acquire, hold or dispose of any interest in any real property without the approval of council. Restriction respecting real property

14.—(1) The corporation shall provide council with statements of, Financial statements

- (a) revenues and expenditures;
- (b) profit and loss; and

- (c) such financial matters or operating expenditures as council may require,

in such form as the treasurer of the City may require and at such times as council may require.

Accounting records

(2) The corporation shall keep, in such form as the treasurer of the City may require, proper books of account and accounting records with respect to all financial and other transactions of the corporation, including records of all sums of money received from any source and disbursed in any manner.

Auditor

(3) The accounts, books and records of the corporation shall be audited annually by the auditor of the City and shall be submitted to council annually on or before the date specified by council.

Fiscal year

(4) The fiscal year of the corporation shall be the same as the fiscal year of the City.

Budget

15.—(1) The corporation shall prepare, in such form as the treasurer of the City may require, a detailed annual budget of estimated revenues and expenditures, including the estimated revenues and expenditures of any reserve fund of the corporation.

Submission to council

(2) The corporation shall submit to council the budget and such other information as council may require.

Approval of council required for budget

(3) The annual budget of the corporation is subject to the approval of council, and, except with the approval of council, no obligation other than normal operating expenses may be incurred or expenditure made by the corporation prior to that approval.

Requisition to council

16.—(1) The corporation may requisition council for any sums of money it requires to carry out its objects and duties.

Approval of council

(2) Council may approve the sums so requisitioned or such other amounts as it determines.

Annual report

17. The corporation shall prepare and submit an annual report to council.

Limitation on powers

18.—(1) The corporation shall not incur any indebtedness or obligation, contingent or otherwise, or expend any moneys except as authorized by this Act.

(2) Within the limits of its budget, as approved by council, the corporation may expend such moneys and incur such obligations as are necessary to carry out its objects, powers and duties.

Authorized
expenditure

(3) Despite subsection (2), the corporation may, with the approval of council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period.

Exception

(4) Where any indebtedness or obligation proposed to be incurred would extend beyond the term of council then in office, the approval of the council to the incurring of the indebtedness or obligation is subject to sections 64 and 65 of the *Ontario Municipal Board Act* as though the giving of the approval were the incurring of a debt or obligation or the making of an expenditure by the City.

O.M.B.
approval

R.S.O. 1980,
c. 347

19.—(1) In this section,

Definitions

“conservation” means the repair, alteration and replacement of building components and systems, other than maintenance of a routine or minor nature conducted on a day to day basis;

“emergency repairs or replacements” means unanticipated repairs or replacements due to sudden failure or breakage which are necessary for the safe use of the North York Performing Arts Centre.

(2) The corporation shall establish and maintain an adequate reserve fund for the conservation of the North York Performing Arts Centre.

Reserve fund

(3) The requirements of the reserve fund shall be determined on the basis of reasonably anticipated costs of repairs and alterations to and replacements of building components and systems and the life expectancy of the components and systems.

Requirements
of reserve
fund

(4) The corporation shall invest the assets of the reserve fund in investments in which the moneys of a municipality may be invested under subsection 169 (2) of the *Municipal Act* and all income from the investments shall be credited to the reserve fund.

Investments

R.S.O. 1980
c. 302

(5) The assets of the reserve fund shall be kept separate from the other assets of the corporation.

Reserve fund
to be kept
separate

Use of
reserve fund

(6) The reserve fund for conservation shall be applied in accordance with the annual budget of the corporation, as approved by council, and may be used for emergency repairs or replacements of building components and systems not covered in the annual budget.

Borrowing

20. The City may borrow money for any of the objects of the corporation by the issue of debentures and may levy therefor on the rateable property in the City.

Claims, etc.

21. Subject to any agreement of the City to the contrary, all claims, accounts, demands or causes of action arising from or relating to the objects of the corporation or from the exercise of any of the powers of the corporation shall be made upon and brought against the corporation and not upon or against the City.

Council may
require
reports, etc.

22. The council may require the corporation,

(a) to provide information, records, accounts, agendas, notices or documents; and

(b) to make a report on any matter,

relating to the carrying out of the purposes and objects of the corporation.

Dissolution
of
corporation

23.—(1) The council may, by by-law passed by a vote of at least two-thirds of all the members thereof, assume the powers and duties of the corporation and upon the enactment of the by-law, the corporation is dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Insolvency

(2) If the corporation becomes insolvent, the corporation is thereupon dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Application
of
R.S.O. 1980,
c. 140

24.—(1) Except to the extent that a regulation under clause 40 (f) of the *Environmental Assessment Act* designates an enterprise or activity of the corporation or of the City related to the corporation as an undertaking to which the *Environmental Assessment Act* applies, the enterprises, proposals, plans, activities or programs of the corporation shall be deemed not to be an undertaking to which the *Environmental Assessment Act* applies.

(2) For the purposes of any designating regulation referred to in subsection (1), subsection (1) shall be deemed to be an exempting regulation under clause 40 (f) of the *Environmental Assessment Act*. Deeming provision

25. This Act comes into force on the day it receives Royal Assent. Commence-
ment

26. The short title of this Act is the *City of North York Act, 1988*. Short title

Bill Pr58

*(Chapter Pr45
Statutes of Ontario, 1988)*

An Act respecting the City of North York

Mr. Polsinelli

<i>1st Reading</i>	June 14th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr58

1988

An Act respecting the City of North York

Whereas The Corporation of the City of North York considers it desirable to establish a corporation to maintain, operate, manage, market and promote the North York Performing Arts Centre as an artistic, cultural, social, educational and recreational facility for the benefit of the City of North York and its inhabitants and in the public interest; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“board” means the board of directors of the corporation;

“City” means The Corporation of the City of North York;

“corporation” means The North York Performing Arts Centre Corporation as established by this Act;

“council” means the council of the City;

“North York Performing Arts Centre” means any land, buildings, fixtures and undertakings within the City of North York that is owned or available to or used by the corporation.

2.—(1) There is hereby established a corporation without share capital under the name of “The North York Performing Arts Centre Corporation”.

Corporation established

(2) The corporation shall be composed of those persons who comprise its board.

Composition

3. The corporation shall be carried on without the purpose of gain and any income or other accretions to the corporation shall be used in promoting its objects.

Non-profit corporation

Application
of 1982, c. 4,
s. 21

4. Section 21 of the *Business Corporations Act, 1982* applies with necessary modifications to oral and written contracts entered into in the name of or on behalf of the corporation before the day this Act comes into force.

Objects

5. The objects of the corporation, for charitable purposes, are to maintain, operate and manage the North York Performing Arts Centre for the benefit of the public and, without limiting the generality of the foregoing,

- (a) to provide facilities and services for the performing arts, the fine arts and other charitable and cultural activities;
- (b) to establish educational facilities and provide instruction in all areas of the arts;
- (c) to provide facilities and services for holding receptions, meetings, conferences, conventions, exhibitions and displays;
- (d) to operate an art gallery, gift shop, theatre, music hall, studio theatre, concert hall, ballroom, film, television or recording studio, refreshment stands and restaurants;
- (e) to promote the advancement of the performing and fine arts;
- (f) to present, produce, manage and conduct performances of the performing arts, including plays, dramas, comedies, revues, operas, concerts, musicals, television shows, video tapes, sound recordings, films, variety, ballets, shows and other artistic undertakings;
- (g) to promote and market the North York Performing Arts Centre; and
- (h) to oversee, arrange or contract for and supervise the design, construction and promotion of any building or structure for the North York Performing Arts Centre.

Board of
directors

6.—(1) The corporation shall have a board which shall manage, supervise and conduct the affairs of the corporation.

Composition
of board

(2) The board shall be composed of,

(a) the mayor of the City who shall be a director by virtue of office; and

(b) eleven other members appointed by the council by by-law of whom,

(i) three shall be members of council, and

(ii) eight shall not be members of council and shall include at least three representatives of the business community and at least two representatives of the arts community.

(3) Subject to subsection (4), the directors shall hold office until the expiration of the term of council that appointed them and until their successors are appointed. Term

(4) The first directors shall hold office for four years. First directors

(5) Directors shall serve without remuneration and no director shall directly or indirectly receive any profit from the office of director but a director may be paid or reimbursed for reasonable expenses incurred in the performance of the director's duties. Remuneration

7. A majority of the directors constitutes a quorum at any meeting of the board and if there are vacancies on the board, a majority of the remaining directors constitutes a quorum. Quorum

8.—(1) The meetings of the board shall be open to the public and no person shall be excluded from a meeting except for improper conduct as determined by the chairperson of the board. Open meetings

(2) Despite subsection (1), meetings of the board may be closed to the public during discussion of, Exceptions

(a) employment matters, including wages, salaries, benefits, discipline and collective bargaining;

(b) litigation and communications respecting solicitor-client relationships, including legal opinions and advice;

(c) proposed or actual contracts with individuals, organizations and corporations and the financial results thereof; and

(d) any other matter which the board in its discretion determines as appropriate for private discussion.

Indemnification

9.—(1) Subject to subsection (2), every director or officer of the corporation and the heirs, executors, administrators and other legal personal representatives of every director or officer shall be indemnified by the corporation from and against,

- (a) any liability and all costs, charges and expenses sustained or incurred in any action or proceeding that is proposed or commenced against him or her for any act done or permitted to be done in the execution of the person's duties; and
- (b) all other liability, costs, charges and expenses that the director or officer sustains or incurs in respect of the affairs of the corporation.

Limitation

(2) No director or officer of the corporation shall be indemnified by the corporation in respect of any liability, costs, charges or expenses sustained or incurred in connection with any action or proceeding unless the person acted honestly and in good faith with a view to the best interests of the corporation.

Duties of directors, officers

10. Every director and officer of the corporation shall exercise the powers and discharge the duties of the office honestly and in good faith with a view to the best interests of the corporation, and in connection therewith shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Officers

11.—(1) Subject to subsection (2), officers shall be appointed by the board with the prior approval of council to hold office until their successor is appointed.

First officers

(2) The first officers of the corporation shall be appointed for five years.

Manager

(3) The board shall appoint the commissioner of economic development of the City as the first general manager and first chief executive officer of the corporation.

Assistant manager

(4) The board shall appoint the civic projects officer of the City as the first assistant general manager of the corporation.

Legal counsel

(5) The board shall appoint the solicitor of the City as the first legal counsel for the corporation.

Treasurer

(6) The board shall appoint the treasurer of the City as the first treasurer of the corporation.

(7) The board shall appoint the clerk of the City as the first secretary of the corporation. Secretary

(8) The secretary shall, Duties of secretary

- (a) give notice of the meetings of the board;
- (b) keep all minutes of meetings and proceedings of the board; and
- (c) submit to the board at each of its meetings the minutes of the last meeting of the board.

12.—(1) All contracts exceeding \$500,000 that the corporation proposes to enter shall be submitted to council for its approval and, if approved, shall be executed by the secretary and the general manager. When prior approval of contracts required

(2) The procedures and practices of the board respecting contracts and tenders shall be substantially similar to the procedures and practices of the council respecting contracts and tenders. Procedures respecting contracts

(3) The board may enter into an agreement with any person to manage, operate or maintain the North York Performing Arts Centre or any part thereof but the prior approval of council is required in respect of any proposed agreement to operate the main theatre of the North York Performing Arts Centre. Agreements

13.—(1) The City may grant to the corporation, by by-law, any interest in real property held by the City for the purposes of the corporation. Real property

(2) Despite subsection (1), the City may by by-law assume the management of the land, buildings, fixtures and undertakings of the corporation, and in such event the corporation shall be divested of its responsibilities in relation to such property, as the City may determine. Assumption by City

(3) The corporation shall not acquire, hold or dispose of any interest in any real property without the approval of council. Restriction respecting real property

14.—(1) The corporation shall provide council with statements of, Financial statements

- (a) revenues and expenditures;
- (b) profit and loss; and

- (c) such financial matters or operating expenditures as council may require,

in such form as the treasurer of the City may require and at such times as council may require.

Accounting records

(2) The corporation shall keep, in such form as the treasurer of the City may require, proper books of account and accounting records with respect to all financial and other transactions of the corporation, including records of all sums of money received from any source and disbursed in any manner.

Auditor

(3) The accounts, books and records of the corporation shall be audited annually by the auditor of the City and shall be submitted to council annually on or before the date specified by council.

Fiscal year

(4) The fiscal year of the corporation shall be the same as the fiscal year of the City.

Budget

15.—(1) The corporation shall prepare, in such form as the treasurer of the City may require, a detailed annual budget of estimated revenues and expenditures, including the estimated revenues and expenditures of any reserve fund of the corporation.

Submission to council

(2) The corporation shall submit to council the budget and such other information as council may require.

Approval of council required for budget

(3) The annual budget of the corporation is subject to the approval of council, and, except with the approval of council, no obligation other than normal operating expenses may be incurred or expenditure made by the corporation prior to that approval.

Requisition to council

16.—(1) The corporation may requisition council for any sums of money it requires to carry out its objects and duties.

Approval of council

(2) Council may approve the sums so requisitioned or such other amounts as it determines.

Annual report

17. The corporation shall prepare and submit an annual report to council.

Limitation on powers

18.—(1) The corporation shall not incur any indebtedness or obligation, contingent or otherwise, or expend any moneys except as authorized by this Act.

(2) Within the limits of its budget, as approved by council, the corporation may expend such moneys and incur such obligations as are necessary to carry out its objects, powers and duties.

Authorized
expenditure

(3) Despite subsection (2), the corporation may, with the approval of council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period.

Exception

(4) Where any indebtedness or obligation proposed to be incurred would extend beyond the term of council then in office, the approval of the council to the incurring of the indebtedness or obligation is subject to sections 64 and 65 of the *Ontario Municipal Board Act* as though the giving of the approval were the incurring of a debt or obligation or the making of an expenditure by the City.

O.M.B.
approval

R.S.O. 1980,
c. 347

19.—(1) In this section,

Definitions

“conservation” means the repair, alteration and replacement of building components and systems, other than maintenance of a routine or minor nature conducted on a day to day basis;

“emergency repairs or replacements” means unanticipated repairs or replacements due to sudden failure or breakage which are necessary for the safe use of the North York Performing Arts Centre.

(2) The corporation shall establish and maintain an adequate reserve fund for the conservation of the North York Performing Arts Centre.

Reserve fund

(3) The requirements of the reserve fund shall be determined on the basis of reasonably anticipated costs of repairs and alterations to and replacements of building components and systems and the life expectancy of the components and systems.

Requirements
of reserve
fund

(4) The corporation shall invest the assets of the reserve fund in investments in which the moneys of a municipality may be invested under subsection 169 (2) of the *Municipal Act* and all income from the investments shall be credited to the reserve fund.

Investments

R.S.O. 1980
c. 302

(5) The assets of the reserve fund shall be kept separate from the other assets of the corporation.

Reserve fund
to be kept
separate

Use of
reserve fund

(6) The reserve fund for conservation shall be applied in accordance with the annual budget of the corporation, as approved by council, and may be used for emergency repairs or replacements of building components and systems not covered in the annual budget.

Borrowing

20. The City may borrow money for any of the objects of the corporation by the issue of debentures and may levy therefor on the rateable property in the City.

Claims, etc.

21. Subject to any agreement of the City to the contrary, all claims, accounts, demands or causes of action arising from or relating to the objects of the corporation or from the exercise of any of the powers of the corporation shall be made upon and brought against the corporation and not upon or against the City.

Council may
require
reports, etc.

22. The council may require the corporation,

(a) to provide information, records, accounts, agendas, notices or documents; and

(b) to make a report on any matter,

relating to the carrying out of the purposes and objects of the corporation.

Dissolution
of
corporation

23.—(1) The council may, by by-law passed by a vote of at least two-thirds of all the members thereof, assume the powers and duties of the corporation and upon the enactment of the by-law, the corporation is dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Insolvency

(2) If the corporation becomes insolvent, the corporation is thereupon dissolved and the City shall possess all of the property, rights, privileges and franchises of the corporation and shall be subject to all of its liabilities, contracts, disabilities and debts.

Application
of
R.S.O. 1980,
c. 140

24.—(1) Except to the extent that a regulation under clause 40 (f) of the *Environmental Assessment Act* designates an enterprise or activity of the corporation or of the City related to the corporation as an undertaking to which the *Environmental Assessment Act* applies, the enterprises, proposals, plans, activities or programs of the corporation shall be deemed not to be an undertaking to which the *Environmental Assessment Act* applies.

(2) For the purposes of any designating regulation referred to in subsection (1), subsection (1) shall be deemed to be an exempting regulation under clause 40 (f) of the *Environmental Assessment Act*. Deeming provision
R.S.O. 1980,
c. 140

25. This Act comes into force on the day it receives Royal Assent. Commence-
ment

26. The short title of this Act is the *City of North York Act, 1988*. Short title

Bill Pr60

An Act respecting the Sudbury Hydro-Electric Commission

Mr. Campbell

1st Reading January 31st, 1989

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr60

1989

An Act respecting the Sudbury Hydro-Electric Commission

Whereas the Sudbury Hydro-Electric Commission, herein called the Commission, hereby applies for special legislation to enable it to pay the whole or part of the cost of the Ontario Health Insurance Plan and the whole or part of the cost of a supplementary health insurance plan for the spouses and children of deceased employees and the spouses and children of deceased retired employees; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Commission may provide insurance in respect of hospital, medical, surgical, nursing or dental services and the payment therefor for the spouses and children of deceased employees and the spouses and children of deceased retired employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Insurance,
hospitali-
zation, etc.

R.S.O. 1980,
c. 302

2. The Commission may contribute toward the cost to the spouses and children of deceased employees and to the spouses and children of deceased retired employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions
to plan under
R.S.O. 1980,
c. 197

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Sudbury Hydro-Electric Commission Act, 1989*.

Short title

Bill Pr60

*(Chapter Pr5
Statutes of Ontario, 1989)*

An Act respecting the Sudbury Hydro-Electric Commission

Mr. Campbell

<i>1st Reading</i>	January 31st, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr60

1989

**An Act respecting the
Sudbury Hydro-Electric Commission**

Whereas the Sudbury Hydro-Electric Commission, herein called the Commission, hereby applies for special legislation to enable it to pay the whole or part of the cost of the Ontario Health Insurance Plan and the whole or part of the cost of a supplementary health insurance plan for the spouses and children of deceased employees and the spouses and children of deceased retired employees; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Commission may provide insurance in respect of hospital, medical, surgical, nursing or dental services and the payment therefor for the spouses and children of deceased employees and the spouses and children of deceased retired employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Insurance,
hospitali-
zation, etc.

R.S.O. 1980,
c. 302

2. The Commission may contribute toward the cost to the spouses and children of deceased employees and to the spouses and children of deceased retired employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions
to plan under
R.S.O. 1980,
c. 197

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. The short title of this Act is the *Sudbury Hydro-Electric Commission Act, 1989*.

Short title

Bill Pr61

An Act respecting The Sisters of Social Service

Ms Collins

1st Reading January 9th, 1989

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr61

1989

An Act respecting The Sisters of Social Service

Whereas The Sisters of Social Service, of the Roman Catholic Church, hereby represent that it was provincially incorporated on the 7th day of February, 1927; that it is registered as a charitable organization within the meaning of the *Income Tax Act* (Canada); that The Sisters of Social Service owns land known municipally as 88 Fennell Avenue West in the City of Hamilton; that premises known as Holy Spirit Centre are located on the land and used for the purpose of offering retreats and programs for human and spiritual enrichment to worshippers of all faiths; and whereas The Sisters of Social Service hereby applies for special legislation to exempt the aforesaid real property occupied and used by The Sisters of Social Service from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Hamilton may pass by-laws exempting the land, as defined in the *Assessment Act*, being the land and premises described in the Schedule, or any portion thereof, from taxes for municipal and school purposes, other than local improvement rates, so long as the land is owned by The Sisters of Social Service and is occupied and used solely by The Sisters of Social Service for the purpose of holding retreats and programs for human and spiritual enrichment.

Tax
exemption

R.S.O. 1980,
c. 31

(2) No exemption shall be granted under subsection (1) for land used by The Sisters of Social Service as their own residence.

Restriction

(3) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-laws.

Conditions

2. For the purposes of subsection 101 (9) of the *Regional Municipality of Hamilton-Wentworth Act*, the exemption from

Deemed
exemption
R.S.O. 1980,
c. 437

taxation granted under section 1 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.
R.S.O. 1980, c. 31

Retroactivity **3.** A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

Commence-
ment **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** The short title of this Act is the *Sisters of Social Service Act, 1989*.

SCHEDULE

In the City of Hamilton in The Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 15 in the Fourth Concession of the Township of Barton, now in the said City of Hamilton, and described as follows:

COMMENCING at a concrete monument planted at the intersection of the northern limit of Fennell Avenue with the eastern limit of the road allowance between lots 15 and 16;

THENCE north 18° 31' east along the eastern limit of the said road between lots 15 and 16, 646 feet to a stake planted;

THENCE south 71° 29' east at right angles to the eastern limit of the aforesaid road, 651 feet 9 inches, more or less, to an iron bar planted in the western limit of the subdivision laid out for Messrs. Brown and Duff and shown on plan of survey registered in the Registry Office for the Registry Division of Wentworth as Number 279;

THENCE south 18° 42' west along the western limit of that subdivision, 665 feet 4½ inches, more or less, to an iron bar planted in the northern limit of Fennell Avenue;

THENCE north 69° 45' west along the northern limit of Fennell Avenue, 650 feet 8 inches, more or less, to the place of beginning.

Described in Instrument registered August 14th, 1946 as No. 112274 NS.

EXCEPTING therefrom the parcel of land, conveyed to The Corporation of the City of Hamilton for road widening purposes and comprising part of Township Lot No. 15 in the Fourth Concession of Barton Township (now within the limits of the City of Hamilton), more particularly described as follows:

COMMENCING at a point where the east limit of West 5th Street intersects the north limit of Fennell Avenue;

THENCE easterly along the north limit of the road allowance between concessions 4 and 5 Barton Township (north limit of Fennell Avenue) 10 feet;

THENCE northerly in a straight line 646 feet 3¾ inches, more or less, to the southwest angle of Lot No. 67 according to Claremont Heights Survey, as registered in the Registry Office for the said County of Wentworth as Plan No. 768;

THENCE westerly on the production westerly of the south limit of Lot No. 67, 10 feet, more or less, to where it intersects the said east limit of West 5th Street;

THENCE southerly along the said east limit of West 5th Street, 646 feet, more or less, to the place of beginning.

The above described parcel containing by admeasurement 0.148 acres, more or less, and shown outlined in red on print of City Engineer's Plan No. S. S. 285 Surveys as described in Instrument registered January 26th, 1961 as No. 152296 HL.

Bill Pr61

*(Chapter Pr6
Statutes of Ontario, 1989)*

An Act respecting The Sisters of Social Service

Ms Collins

<i>1st Reading</i>	January 9th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr61

1989

An Act respecting The Sisters of Social Service

Whereas The Sisters of Social Service, of the Roman Catholic Church, hereby represent that it was provincially incorporated on the 7th day of February, 1927; that it is registered as a charitable organization within the meaning of the *Income Tax Act* (Canada); that The Sisters of Social Service owns land known municipally as 88 Fennell Avenue West in the City of Hamilton; that premises known as Holy Spirit Centre are located on the land and used for the purpose of offering retreats and programs for human and spiritual enrichment to worshippers of all faiths; and whereas The Sisters of Social Service hereby applies for special legislation to exempt the aforesaid real property occupied and used by The Sisters of Social Service from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Hamilton may pass by-laws exempting the land, as defined in the *Assessment Act*, being the land and premises described in the Schedule, or any portion thereof, from taxes for municipal and school purposes, other than local improvement rates, so long as the land is owned by The Sisters of Social Service and is occupied and used solely by The Sisters of Social Service for the purpose of holding retreats and programs for human and spiritual enrichment.

Tax
exemption

R.S.O. 1980,
c. 31

(2) No exemption shall be granted under subsection (1) for land used by The Sisters of Social Service as their own residence.

Restriction

(3) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-laws.

Conditions

2. For the purposes of subsection 101 (9) of the *Regional Municipality of Hamilton-Wentworth Act*, the exemption from

Deemed
exemption
R.S.O. 1980,
c. 437

taxation granted under section 1 shall be deemed to be an exemption provided under section 3 of the *Assessment Act*.
R.S.O. 1980, c. 31

Retroactivity **3.** A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

Commence-
ment **4.** This Act comes into force on the day it receives Royal Assent.

Short title **5.** The short title of this Act is the *Sisters of Social Service Act, 1989*.

SCHEDULE

In the City of Hamilton in The Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 15 in the Fourth Concession of the Township of Barton, now in the said City of Hamilton, and described as follows:

COMMENCING at a concrete monument planted at the intersection of the northern limit of Fennell Avenue with the eastern limit of the road allowance between lots 15 and 16;

THENCE north $18^{\circ} 31'$ east along the eastern limit of the said road between lots 15 and 16, 646 feet to a stake planted;

THENCE south $71^{\circ} 29'$ east at right angles to the eastern limit of the aforesaid road, 651 feet 9 inches, more or less, to an iron bar planted in the western limit of the subdivision laid out for Messrs. Brown and Duff and shown on plan of survey registered in the Registry Office for the Registry Division of Wentworth as Number 279;

THENCE south $18^{\circ} 42'$ west along the western limit of that subdivision, 665 feet $4\frac{1}{2}$ inches, more or less, to an iron bar planted in the northern limit of Fennell Avenue;

THENCE north $69^{\circ} 45'$ west along the northern limit of Fennell Avenue, 650 feet 8 inches, more or less, to the place of beginning.

Described in Instrument registered August 14th, 1946 as No. 112274 NS.

EXCEPTING therefrom the parcel of land, conveyed to The Corporation of the City of Hamilton for road widening purposes and comprising part of Township Lot No. 15 in the Fourth Concession of Barton Township (now within the limits of the City of Hamilton), more particularly described as follows:

COMMENCING at a point where the east limit of West 5th Street intersects the north limit of Fennell Avenue;

THENCE easterly along the north limit of the road allowance between concessions 4 and 5 Barton Township (north limit of Fennell Avenue) 10 feet;

THENCE northerly in a straight line 646 feet $3\frac{3}{8}$ inches, more or less, to the southwest angle of Lot No. 67 according to Claremont Heights Survey, as registered in the Registry Office for the said County of Wentworth as Plan No. 768;

THENCE westerly on the production westerly of the south limit of Lot No. 67, 10 feet, more or less, to where it intersects the said east limit of West 5th Street;

THENCE southerly along the said east limit of West 5th Street, 646 feet, more or less, to the place of beginning.

The above described parcel containing by admeasurement 0.148 acres, more or less, and shown outlined in red on print of City Engineer's Plan No. S. S. 285 Surveys as described in Instrument registered January 26th, 1961 as No. 152296 HL.

Bill Pr62

An Act respecting The Windsor Utilities Commission

Mr. Ray
(Windsor-Walkerville)

<i>1st Reading</i>	December 21st, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is to enable The Windsor Utilities Commission to provide insurance and hospital, medical, surgical, nursing or dental services and payment therefor for the spouses and children of deceased employees.

Bill Pr62

1987

An Act respecting The Windsor Utilities Commission

Whereas The Windsor Utilities Commission, herein called the Commission, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance and hospital, medical, surgical, nursing or dental services and payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*.

Commission may provide insurance, medical care benefits

R.S.O. 1980, c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*.

Contributions to plan under R.S.O. 1980, c. 197

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is the *Windsor Utilities Commission Act, 1987*.

Short title



Bill Pr62

*(Chapter Pr30
Statutes of Ontario, 1988)*

An Act respecting The Windsor Utilities Commission

Mr. Ray
(Windsor-Walkerville)

<i>1st Reading</i>	December 21st, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988



Bill Pr62

1987

An Act respecting The Windsor Utilities Commission

Whereas The Windsor Utilities Commission, herein called the Commission, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Commission may provide insurance and hospital, medical, surgical, nursing or dental services and payment therefor for the spouses and children of deceased employees in the same manner as it may provide for the spouses and children of retired employees under paragraph 48 of section 208 of the *Municipal Act*. Commission
may provide
insurance,
medical care
benefits

R.S.O. 1980,
c. 302

(2) The Commission may contribute toward the cost to the spouses and children of deceased employees of the plan of insurance provided for under the *Health Insurance Act*. Contributions
to plan under
R.S.O. 1980,
c. 197

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. The short title of this Act is the *Windsor Utilities Commission Act, 1988*. Short title

Bill Pr63

An Act to revive Tavone Enterprises Limited

Ms Collins

<i>1st Reading</i>	November 3rd, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr63

1988

An Act to revive Tavone Enterprises Limited

Whereas Fernando Tavone hereby represents that Tavone Enterprises Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 3rd day of December, 1982; that by order dated the 25th day of November, 1987 and made under the authority of section 239 of the *Business Corporations Act, 1982*, being chapter 4, the certificate of incorporation of the Corporation was cancelled for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and the Corporation dissolved on the 25th day of November, 1987; that the applicant was the sole director and holder of all the issued shares of the Corporation at the time of its dissolution; that the failure to comply with the said Act occurred by reason of inadvertence; that the Corporation, at the time of its dissolution, was carrying on active business and active business has continued to be carried on in the name of the Corporation since that time; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Tavone Enterprises Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Tavone Enterprises Limited Act, 1988*.

Short title

Bill Pr63

*(Chapter Pr54
Statutes of Ontario, 1988)*

An Act to revive Tavone Enterprises Limited

Ms Collins

<i>1st Reading</i>	November 3rd, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr63

1988

An Act to revive Tavone Enterprises Limited

Whereas Fernando Tavone hereby represents that Tavone Enterprises Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 3rd day of December, 1982; that by order dated the 25th day of November, 1987 and made under the authority of section 239 of the *Business Corporations Act, 1982*, being chapter 4, the certificate of incorporation of the Corporation was cancelled for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and the Corporation dissolved on the 25th day of November, 1987; that the applicant was the sole director and holder of all the issued shares of the Corporation at the time of its dissolution; that the failure to comply with the said Act occurred by reason of inadvertence; that the Corporation, at the time of its dissolution, was carrying on active business and active business has continued to be carried on in the name of the Corporation since that time; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Tavone Enterprises Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Tavone Enterprises Limited Act, 1988*.

Short title

Bill Pr65

An Act respecting the Kitchener and Waterloo Community Foundation

Mr. Cooke
(*Kitchener*)

1st Reading October 19th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr65

1988

An Act respecting the Kitchener and Waterloo Community Foundation

Whereas The Kitchener and Waterloo Community Foundation hereby applies for special legislation to amend the number of its directors from nine to a minimum of nine and a maximum of fifteen, with the actual number of directors to be fixed by by-law of The Kitchener and Waterloo Community Foundation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 6 and 7 of the *Kitchener-Waterloo Foundation Act, 1984*, being chapter Pr3, are repealed and the following substituted therefor:

- | | |
|--|--|
| <p>6.—(1) The affairs of the Foundation shall be managed by the Board.</p> | <p>Board to manage affairs</p> |
| <p>(2) The Board shall be composed of not less than nine members and not more than fifteen members as determined by by-law of the Board.</p> | <p>Composition of Board</p> |
| <p>(3) The members of the Board shall be appointed by the nominating committee provided for in section 7.</p> | <p>Appointment by nominating committee</p> |
| <p>(4) No decrease in the number of directors shall shorten the term of any director.</p> | <p>Condition</p> |
| <p>(5) The members shall be appointed so that, as nearly as may be, the term of one-third of the members of the Board expires each year.</p> | <p>Rotation of directors</p> |
| <p>(6) Members of the Board shall serve without remuneration but are entitled to reimbursement of reasonable expenses.</p> | <p>Remuneration</p> |

Term	(7) Subject to subsection (5), the members of the Board shall be appointed for three years.
Reappointment	(8) Members of the Board are eligible for reappointment to not more than two consecutive terms but may be reappointed after one year has elapsed from the time the member ceased to hold office.
Vacancies	(9) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by the nominating committee for the unexpired portion of the term of office.
Idem	(10) A vacancy arising in the membership of the Board by reason of an increase in the number of directors or the expiration of a term of office shall be filled by appointment by the nominating committee.
Composition of nominating committee	<p>7.—(1) The nominating committee shall consist of the persons holding the following offices:</p> <ol style="list-style-type: none">1. The Mayor of the City of Kitchener.2. The Mayor of the City of Waterloo.3. The Senior Judge of the District Court of the Judicial District of Waterloo.4. The President of the Kitchener Chamber of Commerce.5. The President of the Waterloo Chamber of Commerce.6. The President of the United Way of Kitchener-Waterloo and Area.
Idem	(2) If a person holding any of the offices referred to in subsection (1) is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another person to act as a member during the period in which the original member is unable or unwilling to act.
Meetings of nominating committee	(3) The nominating committee shall meet annually or more often upon the call of the secretary of the Board, if any, or upon the call of the chairperson of the nominating committee whenever it is necessary to fill a vacancy on the Board.

(4) The nominating committee may make such rules governing its procedure, including the appointment of a chairperson, as it considers advisable. Procedure

(5) A quorum of the nominating committee for any meeting shall be not less than three of its members present in person, and a majority vote of all the members of the nominating committee is required for the appointment of a member of the Board. Quorum

(6) If the nominating committee fails to appoint a person to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may fill the vacancy. Failure of nominating committee

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. The short title of this Act is the *Kitchener-Waterloo Foundation Act, 1988*. Short title

THE UNIVERSITY OF CHICAGO

PHILIP H. KATZ

JOHN H. KATZ

JOHN H. KATZ

JOHN H. KATZ

JOHN H. KATZ

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JOHN H. KATZ

JOHN H. KATZ



Bill Pr65

*(Chapter Pr55
Statutes of Ontario, 1988)*

An Act respecting the Kitchener and Waterloo Community Foundation

Mr. Cooke
(Kitchener)

<i>1st Reading</i>	October 19th, 1988
<i>2nd Reading</i>	December 7th, 1988
<i>3rd Reading</i>	December 7th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr65

1988

An Act respecting the Kitchener and Waterloo Community Foundation

Whereas The Kitchener and Waterloo Community Foundation hereby applies for special legislation to amend the number of its directors from nine to a minimum of nine and a maximum of fifteen, with the actual number of directors to be fixed by by-law of The Kitchener and Waterloo Community Foundation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 6 and 7 of the *Kitchener-Waterloo Foundation Act, 1984*, being chapter Pr3, are repealed and the following substituted therefor:

6.—(1) The affairs of the Foundation shall be managed by the Board.

Board to
manage
affairs

(2) The Board shall be composed of not less than nine members and not more than fifteen members as determined by by-law of the Board.

Composition
of Board

(3) The members of the Board shall be appointed by the nominating committee provided for in section 7.

Appointment
by
nominating
committee

(4) No decrease in the number of directors shall shorten the term of any director.

Condition

(5) The members shall be appointed so that, as nearly as may be, the term of one-third of the members of the Board expires each year.

Rotation of
directors

(6) Members of the Board shall serve without remuneration but are entitled to reimbursement of reasonable expenses.

Remuneration

- Term** (7) Subject to subsection (5), the members of the Board shall be appointed for three years.
- Reappointment** (8) Members of the Board are eligible for reappointment to not more than two consecutive terms but may be reappointed after one year has elapsed from the time the member ceased to hold office.
- Vacancies** (9) A vacancy arising in the membership of the Board by reason of death, resignation or any other cause, other than the expiration of a term of office, shall be filled by the nominating committee for the unexpired portion of the term of office.
- Idem** (10) A vacancy arising in the membership of the Board by reason of an increase in the number of directors or the expiration of a term of office shall be filled by appointment by the nominating committee.
- Composition of nominating committee** **7.—(1)** The nominating committee shall consist of the persons holding the following offices:
1. The Mayor of the City of Kitchener.
 2. The Mayor of the City of Waterloo.
 3. The Senior Judge of the District Court of the Judicial District of Waterloo.
 4. The President of the Kitchener Chamber of Commerce.
 5. The President of the Waterloo Chamber of Commerce.
 6. The President of the United Way of Kitchener-Waterloo and Area.
- Idem** (2) If a person holding any of the offices referred to in subsection (1) is unable or unwilling to act as a member of the nominating committee, the other members of the nominating committee shall appoint another person to act as a member during the period in which the original member is unable or unwilling to act.
- Meetings of nominating committee** (3) The nominating committee shall meet annually or more often upon the call of the secretary of the Board, if any, or upon the call of the chairperson of the nominating committee whenever it is necessary to fill a vacancy on the Board.

(4) The nominating committee may make such rules governing its procedure, including the appointment of a chairperson, as it considers advisable. Procedure

(5) A quorum of the nominating committee for any meeting shall be not less than three of its members present in person, and a majority vote of all the members of the nominating committee is required for the appointment of a member of the Board. Quorum

(6) If the nominating committee fails to appoint a person to fill a vacancy in the membership of the Board within ninety days after the vacancy occurs, the remaining members of the Board may fill the vacancy. Failure of nominating committee

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. The short title of this Act is the *Kitchener-Waterloo Foundation Act, 1988*. Short title



Bill Pr66

An Act to revive Ariann Developments Inc.

Mr. Nixon
(*York Mills*)

1st Reading October 18th, 1988
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr66

1988

An Act to revive Ariann Developments Inc.

Whereas Mala Logan hereby represents that Ariann Developments Inc., herein called the Corporation, was incorporated by articles of incorporation dated the 24th day of December, 1975; that the Minister of Consumer and Commercial Relations by order dated the 25th day of April, 1988, made under the authority of section 239 of the *Business Corporations Act, 1982*, being chapter 4, cancelled the certificate of incorporation of the Corporation for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980; that the applicant was the sole director and holder of the common shares of the Corporation at the time of its dissolution; that the request to comply with section 5 of the *Corporations Information Act*, although sent to the applicant as director, was not received by her until she acquired knowledge of the order cancelling the certificate of incorporation; that the Corporation at the time of its dissolution was carrying on active business and active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Ariann Developments Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as of the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Ariann Developments Inc. Act, 1988*.

Short title



Bill Pr66

*(Chapter Pr56
Statutes of Ontario, 1988)*

An Act to revive Ariann Developments Inc.

Mr. Nixon
(York Mills)

<i>1st Reading</i>	October 18th, 1988
<i>2nd Reading</i>	December 15th, 1988
<i>3rd Reading</i>	December 15th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr66

1988

An Act to revive Ariann Developments Inc.

Whereas Mala Logan hereby represents that Ariann Developments Inc., herein called the Corporation, was incorporated by articles of incorporation dated the 24th day of December, 1975; that the Minister of Consumer and Commercial Relations by order dated the 25th day of April, 1988, made under the authority of section 239 of the *Business Corporations Act, 1982*, being chapter 4, cancelled the certificate of incorporation of the Corporation for failure to comply with a request under section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980; that the applicant was the sole director and holder of the common shares of the Corporation at the time of its dissolution; that the request to comply with section 5 of the *Corporations Information Act*, although sent to the applicant as director, was not received by her until she acquired knowledge of the order cancelling the certificate of incorporation; that the Corporation at the time of its dissolution was carrying on active business and active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Ariann Developments Inc. is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as of the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

Corporation
revived

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *Ariann Developments Inc. Act, 1988*.

Short title



Bill Pr67

An Act respecting the City of Hamilton

Mr. Charlton

<i>1st Reading</i>	December 3rd, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

This Bill would re-enact section 9 of the *City of Hamilton Act, 1985*. The only substantive change is to increase the number of directors of The Hamilton Entertainment and Convention Facilities Inc. from thirteen to sixteen members. The membership would consist of the mayor and sixteen other members. Of the sixteen, seven shall be members of council and nine shall not be members of council. As the Act now reads, four shall be members of council and nine shall not be members of council.

Bill Pr67

1987

An Act respecting the City of Hamilton

Whereas The Corporation of the City of Hamilton considers it desirable to vary the composition of the board of directors of The Hamilton Entertainment and Convention Facilities Inc., established by the *City of Hamilton Act, 1985*, being chapter Pr23; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of the *City of Hamilton Act, 1985*, being chapter Pr23, is repealed and the following substituted therefor:

9.—(1) The corporation shall have a board of directors who shall manage, supervise and conduct the affairs of the corporation in accordance with the purposes and objects of the corporation.

Board of directors

(2) The board shall be composed of,

Composition

(a) the mayor of the City who shall be a director by virtue of office; and

(b) sixteen other members appointed by the council of whom,

(i) seven shall be members of council, and

(ii) nine shall not be members of council.

(3) The directors appointed under subclause (2) (b) (i) shall be appointed for a term of office not exceeding their term of office as members of council.

Term of office

(4) Directors appointed under subclause (2) (b) (ii) shall be appointed for a term of three years or such lesser number of

Idem

years so that one-third of the directors retires at the end of each year.

Removal (5) A director may be removed at any time from office by a resolution passed by a majority of the council.

Vacancy (6) Where the office of a director becomes vacant for any reason, the vacancy may be filled by council for the remainder of the unexpired term of the director whose office is vacant.

Reappointment (7) A director may be reappointed by council upon expiration of his or her term or otherwise.

Remuneration (8) Directors may serve without remuneration or with such remuneration as the council may determine.

Commencement **2.** This Act comes into force on the day it receives Royal Assent.

Short title **3.** The short title of this Act is the *City of Hamilton Act, 1987*.

Bill Pr67

*(Chapter Pr31
Statutes of Ontario, 1988)*

An Act respecting the City of Hamilton

Mr. Charlton

<i>1st Reading</i>	December 3rd, 1987
<i>2nd Reading</i>	May 19th, 1988
<i>3rd Reading</i>	May 19th, 1988
<i>Royal Assent</i>	May 24th, 1988

Bill Pr67

1987

An Act respecting the City of Hamilton

Whereas The Corporation of the City of Hamilton considers it desirable to vary the composition of the board of directors of The Hamilton Entertainment and Convention Facilities Inc., established by the *City of Hamilton Act, 1985*, being chapter Pr23; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of the *City of Hamilton Act, 1985*, being chapter Pr23, is repealed and the following substituted therefor:

9.—(1) The corporation shall have a board of directors who shall manage, supervise and conduct the affairs of the corporation in accordance with the purposes and objects of the corporation. Board of directors

(2) The board shall be composed of, Composition

(a) the mayor of the City who shall be a director by virtue of office; and

(b) sixteen other members appointed by the council of whom,

(i) seven shall be members of council, and

(ii) nine shall not be members of council.

(3) The directors appointed under subclause (2) (b) (i) shall be appointed for a term of office not exceeding their term of office as members of council. Term of office

(4) Directors appointed under subclause (2) (b) (ii) shall be appointed for a term of three years or such lesser number of Idem

years so that one-third of the directors retires at the end of each year.

Removal (5) A director may be removed at any time from office by a resolution passed by a majority of the council.

Vacancy (6) Where the office of a director becomes vacant for any reason, the vacancy may be filled by council for the remainder of the unexpired term of the director whose office is vacant.

Reappointment (7) A director may be reappointed by council upon expiration of his or her term or otherwise.

Remuneration (8) Directors may serve without remuneration or with such remuneration as the council may determine.

Commencement **2.** This Act comes into force on the day it receives Royal Assent.

Short title **3.** The short title of this Act is the *City of Hamilton Act, 1988*.

Bill Pr69

An Act respecting the City of Windsor

Mr. Ray
(Windsor-Walkerville)

<i>1st Reading</i>	November 10th, 1987
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

Section 1 of the Bill authorizes the City to pass by-laws requiring that screening fences be erected around parking stations and parking lots.

Section 2 of the Bill consolidates section 2 of *The City of Windsor Act, 1977*, being chapter 112, dealing with the establishment of a licensing commission and its licensing powers.

The key changes to this section are:

1. The establishment of the "Windsor Licensing Commission" in place of a licensing committee.
2. The composition of the Windsor Licensing Commission would be three members of whom one must be a member of council. In the current Act all members are required to be on council.
3. The term of office of the members of the Commission would be one year. No term is set out in the current Act.
4. Subsections (5), (6) and (7) provide, respectively, for the filling of vacancies, the quorum and election of a chairman and the payment of salaries, expenses and allowances of members of the Commission.
5. Subsections (14) and (15) provide that council may by by-law authorize the licensing commissioner, under specified circumstances, to suspend licences for two weeks or until the next meeting of the Commission, whichever occurs first.

Section 3 of the Bill repeals subsection 3 (9) of the *City of Windsor Act, 1982* (No. 2). Section 3 of that Act gives council the power to designate any improvement area as a demolition control area. With certain exceptions, no building can be demolished in a demolition control area without a demolition permit. This section was to be repealed on the 1st day of January, 1988. By repealing subsection 3 (9), this section will not be repealed on that date.

Bill Pr69

1987

An Act respecting the City of Windsor

Whereas The Corporation of the City of Windsor, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section, “screening fence” means, Definition

- (a) a berm;
- (b) a dense evergreen hedge;
- (c) an ornamental fence of solid construction excluding a chainlink or other wire fence;
- (d) an ornamental wall of concrete, brick or stone; or
- (e) any combination of the above.

(2) The council of the Corporation may pass by-laws for requiring the owners or operators of parking lots or parking stations to erect, maintain and repair screening fences around parking stations and parking lots to visually separate areas and to block off views. By-laws
respecting
screening
fences

(3) A by-law passed under subsection (2) may require that the screening fence be continuous except at driveway entrances or where lines of sight are required for traffic safety purposes. Continuous
screening
fence

2. Section 2 of *The City of Windsor Act, 1977*, being chapter 112, as amended by the Statutes of Ontario, 1978, chapter 152, section 4, is repealed and the following substituted therefor:

2.—(1) The council of the Corporation may pass any by-law that The Board of Commissioners of Police for the City of Licensing by-
laws

R.S.O. 1980,
c. 302,
1972, c. 204

Windsor is authorized to pass under the *Municipal Act* or under section 2 of *The City of Windsor Act, 1972*.

Licensing
commission

(2) The council of the Corporation may by by-law establish a licensing commission for the Corporation to be known as the Windsor Licensing Commission composed of three members, one of whom shall be a member of council and two persons who are qualified to hold office as a member of council under section 37 of the *Municipal Act*.

Powers

(3) The Windsor Licensing Commission may license any trade, calling, business or occupation authorized by by-law of the council under this or any other Act.

Term of
office

(4) Members of the Windsor Licensing Commission shall be appointed by the council for a term of one year or until their successors are appointed and are eligible for re-appointment but no member shall hold office beyond the term of the council that made the appointment.

Vacancies

(5) Where a vacancy occurs in the membership of the Commission, the council of the Corporation shall appoint another person for the unexpired portion of the term.

Quorum

(6) The Commission shall elect a chairman and a majority of the members constitutes a quorum.

Payments
to members

(7) The council of the Corporation may provide for the payment of salaries, expenses or allowances for the members of the Windsor Licensing Commission.

Powers

(8) The power granted to license any trade, calling, business or occupation or the person carrying on or engaged in it includes,

- (a) the power to prohibit the carrying on or the engaging in it without a licence;
- (b) the power, after hearing the licensee, to impose conditions on the issuance of a licence or to suspend or revoke a licence; and
- (c) the power to regulate or govern any trade, calling, business or occupation or the person carrying on or engaging in it.

Application
of R.S.O.
1980, c. 484

(9) The *Statutory Powers Procedure Act* applies to the hearing conducted by the Windsor Licensing Commission under clause (8) (b).

(10) Where a by-law has been passed by the council of the Corporation under this Act, any by-law of The Board of Commissioners of Police for the City of Windsor respecting licensing has no effect.

Effect of
passing by-
law

(11) The council of the Corporation may by by-law appoint a licence commissioner who, upon receipt of an application for a licence or renewal thereof, shall make all investigations required by law or by the Windsor Licensing Commission relative to the application and, if the investigations disclose that the applicant is not of good character or that the carrying on of the trade, calling, business or occupation is likely to result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it not issue or renew the licence or that it impose conditions on the issuance of a licence, otherwise, the licence commissioner shall recommend to the Windsor Licensing Commission that it issue or renew the licence.

Licence
commis-
sioner,
investigations

(12) Where, in the opinion of the licence commissioner, the carrying on of a trade, calling, business or occupation by a licensee will likely result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it suspend, revoke or impose conditions on the licence.

Suspend or
revoke
licence

(13) The council of the Corporation may by by-law,

Licence fees

- (a) fix an annual fee for the issue or renewal of any licence and charge penalties for the late payment thereof; and
- (b) reduce the licence fee where the licence is in effect for less than one year.

(14) The council of the Corporation may by by-law authorize the licence commissioner of the Corporation, without holding a hearing,

Temporary
suspension

- (a) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licensee has been convicted of a criminal offence so long as the suspension is made within thirty days of the conviction and such suspension may be made notwithstanding that an appeal has been taken from the conviction;
- (b) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licence commissioner knows or has reason to

R.S.O. 1980,
c. 198

believe that a safety standards certificate under the *Highway Traffic Act*, was denied with respect to a motor vehicle used in the licensed trade, calling, business or occupation if, without the appropriate repairs having been made, the motor vehicle is being used on any public highway; and

- (c) to order a licensee to stop using any motor vehicle used in the licensed trade, calling, business or occupation until such time as the licensee provides the licence commissioner with a safety standards certificate issued under the *Highway Traffic Act* with respect to the motor vehicle and the by-law may authorize the licence commissioner to suspend, subject to such conditions as the by-law may provide, the licensee's licence if the licensee fails, within twenty-four hours of the making of the order, to comply with the order or provide proof satisfactory to the licence commissioner that the motor vehicle is not being used on any public highway.

Idem

(15) No suspension of a licence by the licence commissioner of the Corporation is effective after the expiration of two weeks from the date of suspension or after the next meeting of the licensing commission after the suspension, whichever occurs first.

Conflict

R.S.O. 1980,
c. 302

(16) If a by-law passed under this section conflicts with the provisions of any Act, other than the *Municipal Act*, for licensing, regulating or otherwise controlling any business or the person carrying on any business, the provision of that Act prevails to the extent of the conflict.

3. Subsection 3 (9) of the *City of Windsor Act, 1982 (No. 2)*, being chapter 94, is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Windsor Act, 1987*.

Bill Pr69

An Act respecting the City of Windsor

Mr. Ray
(Windsor-Walkerville)

1st Reading November 10th, 1987
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

Section 1 of the Bill authorizes the City to pass by-laws requiring that screening fences be erected around parking garages.

Section 2 of the Bill consolidates section 2 of *The City of Windsor Act, 1977*, being chapter 112, dealing with the establishment of a licensing commission and its licensing powers.

The key changes to this section are:

1. The establishment of the "Windsor Licensing Commission" in place of a licensing committee.
2. The composition of the Windsor Licensing Commission would be three members of whom one must be a member of council. In the current Act all members are required to be on council.
3. The term of office of the members of the Commission would be one year. No term is set out in the current Act.
4. Subsections (5), (6) and (7) provide, respectively, for the filling of vacancies, the quorum and election of a chairman and the payment of salaries, expenses and allowances of members of the Commission.
5. Subsections (14) and (15) provide that council may by by-law authorize the licensing commissioner, under specified circumstances, to suspend licences for two weeks or until the next meeting of the Commission, whichever occurs first.

Section 3 of the Bill repeals subsection 3 (9) of the *City of Windsor Act, 1982 (No. 2)*. Section 3 of that Act gives council the power to designate any improvement area as a demolition control area. With certain exceptions, no building can be demolished in a demolition control area without a demolition permit. This section was to be repealed on the 1st day of January, 1988. By repealing subsection 3 (9), this section will not be repealed on that date.

Bill Pr69

1987

An Act respecting the City of Windsor

Whereas The Corporation of the City of Windsor, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section, “screening fence” means, Definition

- (a) a berm;
- (b) a dense evergreen hedge;
- (c) an ornamental fence of solid construction excluding a chainlink or other wire fence;
- (d) an ornamental wall of concrete, brick or stone; or
- (e) any combination of the above.

(2) In a by-law passed under paragraph 149 of section 210 of the *Municipal Act*, the Corporation may require the owners or operators of public garages to erect, maintain and repair, at their own expense, screening fences around public garages to visually separate areas and to block off views. By-laws respecting screening fences
R.S.O. 1980, c. 302

(3) A by-law passed under subsection (2) may require that the screening fence be continuous except at driveway entrances or where lines of sight are required for traffic safety purposes. Continuous screening fence

2. Section 2 of *The City of Windsor Act, 1977*, being chapter 112, as amended by the Statutes of Ontario, 1978, chapter 152, section 4, is repealed and the following substituted therefor:

2.—(1) The council of the Corporation may pass any by-law that The Board of Commissioners of Police for the City of Licensing by-laws

R.S.O. 1980,
c. 302,
1972, c. 204

Windsor is authorized to pass under the *Municipal Act* or under section 2 of *The City of Windsor Act, 1972*.

Licensing
commission

(2) The council of the Corporation may by by-law establish a licensing commission for the Corporation to be known as the Windsor Licensing Commission composed of three members, one of whom shall be a member of council and two persons who are qualified to hold office as a member of council under section 37 of the *Municipal Act*.

Powers

(3) The Windsor Licensing Commission may license any trade, calling, business or occupation authorized by by-law of the council under this or any other Act.

Term of
office

(4) Members of the Windsor Licensing Commission shall be appointed by the council for a term of one year or until their successors are appointed and are eligible for re-appointment but no member shall hold office beyond the term of the council that made the appointment.

Vacancies

(5) Where a vacancy occurs in the membership of the Commission, the council of the Corporation shall appoint another person for the unexpired portion of the term.

Quorum

(6) The Commission shall elect a chairman and a majority of the members constitutes a quorum.

Payments
to members

(7) The council of the Corporation may provide for the payment of salaries, expenses or allowances for the members of the Windsor Licensing Commission.

Powers

(8) The power granted to license any trade, calling, business or occupation or the person carrying on or engaged in it includes,

- (a) the power to prohibit the carrying on or the engaging in it without a licence;
- (b) the power, after hearing the licensee, to impose conditions on the issuance of a licence or to suspend or revoke a licence; and
- (c) the power to regulate or govern any trade, calling, business or occupation or the person carrying on or engaging in it.

Application
of R.S.O.
1980, c. 484

(9) The *Statutory Powers Procedure Act* applies to the hearing conducted by the Windsor Licensing Commission under clause (8) (b).

(10) Where a by-law has been passed by the council of the Corporation under this Act, any by-law of The Board of Commissioners of Police for the City of Windsor respecting licensing has no effect.

Effect of
passing by-
law

(11) The council of the Corporation may by by-law appoint a licence commissioner who, upon receipt of an application for a licence or renewal thereof, shall make all investigations required by law or by the Windsor Licensing Commission relative to the application and, if the investigations disclose that the applicant is not of good character or that the carrying on of the trade, calling, business or occupation is likely to result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it not issue or renew the licence or that it impose conditions on the issuance of a licence, otherwise, the licence commissioner shall recommend to the Windsor Licensing Commission that it issue or renew the licence.

Licence
commis-
sioner,
investigations

(12) Where, in the opinion of the licence commissioner, the carrying on of a trade, calling, business or occupation by a licensee will likely result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it suspend, revoke or impose conditions on the licence.

Suspend or
revoke
licence

(13) The council of the Corporation may by by-law,

Licence fees

- (a) fix an annual fee for the issue or renewal of any licence and charge penalties for the late payment thereof; and
- (b) reduce the licence fee where the licence is in effect for less than one year.

(14) The council of the Corporation may by by-law authorize the licence commissioner of the Corporation, without holding a hearing,

Temporary
suspension

- (a) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licensee has been convicted of a criminal offence so long as the suspension is made within thirty days of the conviction and such suspension may be made notwithstanding that an appeal has been taken from the conviction;
- (b) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licence commissioner knows or has reason to

R.S.O. 1980,
c. 198

believe that a safety standards certificate under the *Highway Traffic Act*, was denied with respect to a motor vehicle used in the licensed trade, calling, business or occupation if, without the appropriate repairs having been made, the motor vehicle is being used on any public highway; and

- (c) to order a licensee to stop using any motor vehicle used in the licensed trade, calling, business or occupation until such time as the licensee provides the licence commissioner with a safety standards certificate issued under the *Highway Traffic Act* with respect to the motor vehicle and the by-law may authorize the licence commissioner to suspend, subject to such conditions as the by-law may provide, the licensee's licence if the licensee fails, within twenty-four hours of the making of the order, to comply with the order or provide proof satisfactory to the licence commissioner that the motor vehicle is not being used on any public highway.

Idem

(15) No suspension of a licence by the licence commissioner of the Corporation is effective after the expiration of two weeks from the date of suspension or after the next meeting of the licensing commission after the suspension, whichever occurs first.

Conflict
R.S.O. 1980,
c. 302

(16) If a by-law passed under this section conflicts with the provisions of any Act, other than the *Municipal Act*, for licensing, regulating or otherwise controlling any business or the person carrying on any business, the provision of that Act prevails to the extent of the conflict.

3. Subsection 3 (9) of the *City of Windsor Act, 1982 (No. 2)*, being chapter 94, is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Windsor Act, 1987*.



Bill Pr69

*(Chapter Pr9
Statutes of Ontario, 1988)*

An Act respecting the City of Windsor

Mr. Ray
(Windsor-Walkerville)

<i>1st Reading</i>	November 10th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr69

1987

An Act respecting the City of Windsor

Whereas The Corporation of the City of Windsor, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section, “screening fence” means, Definition

- (a) a berm;
- (b) a dense evergreen hedge;
- (c) an ornamental fence of solid construction excluding a chainlink or other wire fence;
- (d) an ornamental wall of concrete, brick or stone; or
- (e) any combination of the above.

(2) In a by-law passed under paragraph 149 of section 210 of the *Municipal Act*, the Corporation may require the owners or operators of public garages to erect, maintain and repair, at their own expense, screening fences around public garages to visually separate areas and to block off views. By-laws
respecting
screening
fences
R.S.O. 1980,
c. 302

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R.S.O. 1980,
c. 302,
1972, c. 204

Windsor is authorized to pass under the *Municipal Act* or under section 2 of *The City of Windsor Act, 1972*.

Licensing
commission

(2) The council of the Corporation may by by-law establish a licensing commission for the Corporation to be known as the Windsor Licensing Commission composed of three members, one of whom shall be a member of council and two persons who are qualified to hold office as a member of council under section 37 of the *Municipal Act*.

Powers

(3) The Windsor Licensing Commission may license any trade, calling, business or occupation authorized by by-law of the council under this or any other Act.

Term of
office

(4) Members of the Windsor Licensing Commission shall be appointed by the council for a term of one year or until their successors are appointed and are eligible for re-appointment but no member shall hold office beyond the term of the council that made the appointment.

Vacancies

(5) Where a vacancy occurs in the membership of the Commission, the council of the Corporation shall appoint another person for the unexpired portion of the term.

Quorum

(6) The Commission shall elect a chairman and a majority of the members constitutes a quorum.

Payments
to members

(7) The council of the Corporation may provide for the payment of salaries, expenses or allowances for the members of the Windsor Licensing Commission.

Powers

(8) The power granted to license any trade, calling, business or occupation or the person carrying on or engaged in it includes,

- (a) the power to prohibit the carrying on or the engaging in it without a licence;
- (b) the power, after hearing the licensee, to impose conditions on the issuance of a licence or to suspend or revoke a licence; and
- (c) the power to regulate or govern any trade, calling, business or occupation or the person carrying on or engaged in it.

Application
of R.S.O.
1980, c. 484

(9) The *Statutory Powers Procedure Act* applies to the hearing conducted by the Windsor Licensing Commission under clause (8) (b).

(10) Where a by-law has been passed by the council of the Corporation under this Act, any by-law of The Board of Commissioners of Police for the City of Windsor respecting licensing has no effect.

Effect of
passing by-
law

(11) The council of the Corporation may by by-law appoint a licence commissioner who, upon receipt of an application for a licence or renewal thereof, shall make all investigations required by law or by the Windsor Licensing Commission relative to the application and, if the investigations disclose that the applicant is not of good character or that the carrying on of the trade, calling, business or occupation is likely to result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it not issue or renew the licence or that it impose conditions on the issuance of a licence, otherwise, the licence commissioner shall recommend to the Windsor Licensing Commission that it issue or renew the licence.

Licence
commis-
sioner,
investigations

(12) Where, in the opinion of the licence commissioner, the carrying on of a trade, calling, business or occupation by a licensee will likely result in a breach of the law or be adverse to the public interest, the licence commissioner shall recommend to the Windsor Licensing Commission that it suspend, revoke or impose conditions on the licence.

Suspend or
revoke
licence

(13) The council of the Corporation may by by-law,

Licence fees

- (a) fix an annual fee for the issue or renewal of any licence and charge penalties for the late payment thereof; and
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(14) The council of the Corporation may by by-law authorize the licence commissioner of the Corporation, without holding a hearing,

Temporary
suspension

- (a) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licensee has been convicted of a criminal offence so long as the suspension is made within thirty days of the conviction and such suspension may be made notwithstanding that an appeal has been taken from the conviction;
- (b) to suspend any licence for such time and subject to such conditions as the by-law may provide if the licence commissioner knows or has reason to

R.S.O. 1980,
c. 198

believe that a safety standards certificate under the *Highway Traffic Act*, was denied with respect to a motor vehicle used in the licensed trade, calling, business or occupation if, without the appropriate repairs having been made, the motor vehicle is being used on any public highway; and

- (c) to order a licensee to stop using any motor vehicle used in the licensed trade, calling, business or occupation until such time as the licensee provides the licence commissioner with a safety standards certificate issued under the *Highway Traffic Act* with respect to the motor vehicle and the by-law may authorize the licence commissioner to suspend, subject to such conditions as the by-law may provide, the licensee's licence if the licensee fails, within twenty-four hours of the making of the order, to comply with the order or provide proof satisfactory to the licence commissioner that the motor vehicle is not being used on any public highway.

Idem

(15) No suspension of a licence by the licence commissioner of the Corporation is effective after the expiration of two weeks from the date of suspension or after the next meeting of the licensing commission after the suspension, whichever occurs first.

Conflict
R.S.O. 1980,
c. 302

(16) If a by-law passed under this section conflicts with the provisions of any Act, other than the *Municipal Act*, for licensing, regulating or otherwise controlling any business or the person carrying on any business, the provision of that Act prevails to the extent of the conflict.

3. Subsection 3 (9) of the *City of Windsor Act, 1982 (No. 2)*, being chapter 94, is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is the *City of Windsor Act, 1988*.

Bill Pr70

An Act to revive Community Youth Programs Incorporated

Mr. Carrothers

1st Reading November 9th, 1987
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr70

1987

**An Act to revive
Community Youth Programs Incorporated**

Whereas Edward Crighton, Betts Engell, Nicholas Faragher, Larry Hardabura and Elizabeth Mander hereby represent that Community Youth Programs Incorporated, herein called the Corporation, was incorporated by letters patent dated the 11th day of December, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Edward Crighton is the chairman of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a group home and related charitable functions authorized by its letters patent and since that time those functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Community Youth Programs Incorporated is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and

Corporation
revived

subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Community Youth Programs Incorporated Act, 1987*.

Bill Pr70

*(Chapter Pr10
Statutes of Ontario, 1988)*

An Act to revive Community Youth Programs Incorporated

Mr. Carrothers

<i>1st Reading</i>	November 9th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr70

1987

**An Act to revive
Community Youth Programs Incorporated**

Whereas Edward Crighton, Betts Engell, Nicholas Faragher, Larry Hardabura and Elizabeth Mander hereby represent that Community Youth Programs Incorporated, herein called the Corporation, was incorporated by letters patent dated the 11th day of December, 1973; that the Minister of Consumer and Commercial Relations by order dated the 8th day of September, 1982 and made under the authority of subsection 317 (9) of the *Corporations Act*, being chapter 95 of the Revised Statutes of Ontario, 1980, cancelled the letters patent of the Corporation for default in complying with section 5 of the *Corporations Information Act*, being chapter 96 of the Revised Statutes of Ontario, 1980, and declared the Corporation to be dissolved on the 8th day of September, 1982; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Edward Crighton is the chairman of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a group home and related charitable functions authorized by its letters patent and since that time those functions have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Community Youth Programs Incorporated is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and

Corporation
revived

subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *Community Youth Programs Incorporated Act, 1988*.

Bill Pr71

An Act respecting Conrad Grebel College

Mr. Epp

1st Reading November 19th, 1987

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr71

1987

An Act respecting Conrad Grebel College

Whereas the churches of the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Church of Ontario determined to establish a college of higher learning; that for such purposes Conrad Grebel College was incorporated by letters patent on the 20th day of April, 1961 and has provided post secondary education since such date; that the College has been affiliated with the University of Waterloo since the 15th day of December, 1961; and whereas the applicant hereby applies for special legislation providing for the continuance of its organization, government and administration, including the power to grant degrees in the field of theology; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“alumni association” means such organization of alumni as is from time to time recognized by by-law by the board;

“board” means the board of governors of the College;

“Charter Corporation” means Conrad Grebel College as it existed immediately prior to the coming into force of this Act;

“College” means Conrad Grebel College as incorporated under subsection 2 (1);

“faculty” means all persons employed by the board on a full-time basis for teaching or research or both;

“students” means those persons who are registered as students or who live in a residence operated by the College.

Charter
Corporation
reincor-
porated

2.—(1) The board of governors of the College is hereby constituted a body corporate without share capital under the name of “Conrad Grebel College”.

Rights and
liabilities
continued

(2) The property, rights, privileges and powers of the Charter Corporation are hereby continued and vested in the College and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby continued in and assumed by the College.

By-laws, etc.,
continued

(3) Subject to this Act, all by-laws, regulations, resolutions and appointments of the Charter Corporation shall continue as by-laws, regulations, resolutions and appointments of the College until amended, repealed or revoked.

Charter
Corporation
dissolved

(4) The Charter Corporation is dissolved on the day this Act comes into force.

Objects

3. The objects of the College are,

- (a) to provide post secondary courses of study in the general arts, humanities and sciences; and
- (b) to provide at the post secondary level, degrees, diplomas and certificate programs and courses of study based on Christian theology.

Powers

4. The College has all the powers necessary to do such things as are incidental or conducive to the attainment of its objects, including, without limiting the generality of the foregoing, the power,

- (a) to establish and maintain faculties, schools, institutes, centres, departments, chairs and courses of instruction;
- (b) to confer the following degrees in theology, namely, Bachelor of Theology, Master of Divinity, Master of Theological Studies, Master of Christian Studies, Master of Religious Education, Master of Theology, Master of Sacred Music, Doctor of Theology, Doctor of Ministry and the honorary Doctorate of Divinity; and
- (c) to federate or affiliate with or to be into affiliation or federation with other universities, colleges and institutions.

5. The funds of the College not immediately required for its purposes and the proceeds of all property that come to the College subject to any trusts affecting them may be invested in such investments as the board considers proper.

Investment

6.—(1) The affairs of the College shall be managed by the board.

College managed by the board

(2) The board shall consist of,

Composition of board

- (a) the president of the College, *ex officio*;
- (b) three members to be elected by the Western Ontario Mennonite Conference;
- (c) three members to be elected by the Mennonite Conference of Ontario and Quebec;
- (d) three members to be elected by the United Mennonite Conference of Ontario;
- (e) one member appointed by and from the alumni association;
- (f) one member appointed by and from the faculty of the College;
- (g) one member appointed by and from the students of the College;
- (h) such other members, not exceeding four in number, as may be appointed by the board.

(3) If two or three of the organizations mentioned in clause (2) (b), (c) or (d) unite, the successor organization shall be entitled to elect six or nine members, respectively, to the board.

Merger of organizations

(4) The board may by by-law increase the size of the board to a maximum of twenty-two members with the appointment of the additional members to be determined by the by-law, but the students, faculty and staff shall not individually or collectively form a majority of the board.

Idem

(5) Subject to subsection (6), members of the board, other than the president, shall hold office for three years and shall be eligible for reappointment for one additional consecutive term.

Term of office

Idem

(6) Members appointed under clause (2) (f) or (g) shall hold office for one year and shall be eligible for reappointment for one additional consecutive term.

Staggered
terms

(7) The board may by by-law provide for the appointment and retirement in rotation of the first members of the board appointed under subsection (2) and may determine that one or more of the first members so appointed shall serve for an initial term of less than three years.

First
members

(8) The board, until reconstituted in accordance with subsection (2), shall consist of those persons who, immediately prior to the coming into force of this Act, were members of the board of the Charter Corporation.

New board

(9) The board shall be reconstituted in accordance with subsection (2) within twelve months of the coming into force of this Act.

Quorum

(10) The quorum for the transaction of business of the board may be designated by by-law of the board.

Citizenship
or resident
status
1976-77,
c. 52 (Can.)

(11) Members of the board shall be Canadian citizens or permanent residents within the meaning of the *Immigration Act, 1976* (Canada).

Powers of
board

7. Except as provided by any agreement of federation or affiliation with any university or college, the government, conduct, management and control of the College and of its property, revenues, expenditures, business and affairs are vested in the board and the board has all powers necessary or convenient to perform its duties and achieve the objectives and purposes of the College, including, without limiting the generality of the foregoing, the power,

- (a) to enact by-laws for the conduct of its affairs;
- (b) to appoint and remove the president and officers of the College;
- (c) to establish and terminate programs and courses of study;
- (d) to grant tenure, promotions and leave, and to suspend and remove the academic officers and members of the faculty;
- (e) to establish and collect fees and charges for tuition and for services of any kind offered by the College

and collect fees and charges on behalf of any entity, organization or element of the College; and

- (f) to grant diplomas, certificates and undergraduate and graduate degrees in theology, including honorary degrees in theology.

8.—(1) Subject to subsections (2) and (3), meetings of the board shall be open to the public and prior notice of the meeting shall be given to the members of the board and to the public in such manner as the board by by-law determines and no person shall be excluded from a meeting except for improper conduct as determined by the board.

Meetings open to the public

(2) Where matters confidential to the College are to be considered, the part of the meeting concerning such matters may be held *in camera*.

Exception

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless there is mutual agreement to the contrary by the board and the individual that such part of the meeting should be open to the public.

Idem

(4) The by-laws of the board shall be open to examination by the public during normal office hours of the College.

By-laws open to public

(5) The board shall publish its by-laws from time to time in such manner as it may consider proper.

Publication of by-laws

9.—(1) The board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the board at least annually.

Annual audit
R.S.O. 1980, c. 405

(2) A copy of the audited annual statement shall be made available for inspection by the public during the normal office hours of the College.

Inspection of annual statement

10. The College shall be carried on without the purpose of gain for the members of the board and any profits or other accretions to the College shall be used in promoting its objects.

Non-profit corporation

11. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed or disposed of equally to the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Conference of Ontario or their successors.

Dissolution

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Conrad Grebel College Act, 1987*.

Bill Pr71

An Act respecting Conrad Grebel College

Mr. Epp

1st Reading November 19th, 1987
2nd Reading
3rd Reading
Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr71

1987

An Act respecting Conrad Grebel College

Whereas the churches of the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Church of Ontario determined to establish a college of higher learning; that for such purposes Conrad Grebel College was incorporated by letters patent on the 20th day of April, 1961 and has provided post secondary education since such date; that the College has been affiliated with the University of Waterloo since the 15th day of December, 1961; and whereas the applicant hereby applies for special legislation providing for the continuance of its organization, government and administration, including the power to grant degrees in the field of theology; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“alumni association” means such organization of alumni as is from time to time recognized by by-law by the board;

“board” means the board of governors of the College;

“Charter Corporation” means Conrad Grebel College as it existed immediately prior to the coming into force of this Act;

“College” means Conrad Grebel College as incorporated under subsection 2 (1);

“faculty” means all persons employed by the board on a full-time basis for teaching or research or both;

“students” means those persons who are registered as students or who live in a residence operated by the College.

Charter
Corporation
reincor-
porated

2.—(1) The board of governors of the College is hereby constituted a body corporate without share capital under the name of "Conrad Grebel College".

Rights and
liabilities
continued

(2) The property, rights, privileges and powers of the Charter Corporation are hereby continued and vested in the College and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby continued in and assumed by the College.

By-laws, etc.,
continued

(3) Subject to this Act, all by-laws, regulations, resolutions and appointments of the Charter Corporation shall continue as by-laws, regulations, resolutions and appointments of the College until amended, repealed or revoked.

Charter
Corporation
dissolved

(4) The Charter Corporation is dissolved on the day this Act comes into force.

Objects

3. The objects of the College are,

- (a) to provide post secondary courses of study in the general arts, humanities and sciences; and
- (b) to provide at the post secondary level, degrees, diplomas and certificate programs and courses of study based on Christian theology.

Powers

4. The College has all the powers necessary to do such things as are incidental or conducive to the attainment of its objects, including, without limiting the generality of the foregoing, the power,

- (a) to establish and maintain faculties, schools, institutes, centres, departments, chairs and courses of instruction;
- (b) to confer the following degrees in theology, namely, Bachelor of Theology, Master of Divinity, Master of Theological Studies, Master of Christian Studies, Master of Religious Education, Master of Theology, Master of Sacred Music, Doctor of Theology, Doctor of Ministry and the honorary Doctorate of Divinity; and
- (c) to federate or affiliate with other universities, colleges and institutions.

Investment

5. The funds of the College not immediately required for its purposes and the proceeds of all property that come to the

College subject to any trusts affecting them may be invested in such investments as the board considers proper.

6.—(1) The affairs of the College shall be managed by the board. College managed by the board

(2) The board shall consist of, Composition of board

- (a) the president of the College, *ex officio*;
- (b) three members to be elected by the Western Ontario Mennonite Conference;
- (c) three members to be elected by the Mennonite Conference of Ontario and Quebec;
- (d) three members to be elected by the United Mennonite Conference of Ontario;
- (e) one member appointed by and from the alumni association;
- (f) one member appointed by and from the faculty of the College;
- (g) one member appointed by and from the students of the College;
- (h) such other members, not exceeding four in number, as may be appointed by the board.

(3) If two or three of the organizations mentioned in clause (2) (b), (c) or (d) unite, the successor organization shall be entitled to elect six or nine members, respectively, to the board. Merger of organizations

(4) The board may by by-law increase the size of the board to a maximum of twenty-two members with the appointment of the additional members to be determined by the by-law, but the students, faculty and staff shall not individually or collectively form a majority of the board. Idem

(5) Subject to subsection (6), members of the board, other than the president, shall hold office for three years and shall be eligible for reappointment for one additional consecutive term. Term of office

(6) Members appointed under clause (2) (f) or (g) shall hold office for one year and shall be eligible for reappointment for one additional consecutive term. Idem

Staggered
terms

(7) The board may by by-law provide for the appointment and retirement in rotation of the first members of the board appointed under subsection (2) and may determine that one or more of the first members so appointed shall serve for an initial term of less than three years.

First
members

(8) The board, until reconstituted in accordance with subsection (2), shall consist of those persons who, immediately prior to the coming into force of this Act, were members of the board of the Charter Corporation.

New board

(9) The board shall be reconstituted in accordance with subsection (2) within twelve months of the coming into force of this Act.

Quorum

(10) The quorum for the transaction of business of the board may be designated by by-law of the board.

Citizenship
or resident
status
1976-77,
c. 52 (Can.)

(11) Members of the board shall be Canadian citizens or permanent residents within the meaning of the *Immigration Act, 1976* (Canada).

Powers of
board

7. Except as provided by any agreement of federation or affiliation with any university or college, the government, conduct, management and control of the College and of its property, revenues, expenditures, business and affairs are vested in the board and the board has all powers necessary or convenient to perform its duties and achieve the objectives and purposes of the College, including, without limiting the generality of the foregoing, the power,

- (a) to enact by-laws for the conduct of its affairs;
- (b) to appoint and remove the president and officers of the College;
- (c) to establish and terminate programs and courses of study;
- (d) to grant tenure, promotions and leave, and to suspend and remove the academic officers and members of the faculty;
- (e) to establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College; and

- (f) to grant diplomas, certificates and undergraduate and graduate degrees in theology, including honorary degrees in theology.

8.—(1) Subject to subsections (2) and (3), meetings of the board shall be open to the public and prior notice of the meeting shall be given to the members of the board and to the public in such manner as the board by by-law determines and no person shall be excluded from a meeting except for improper conduct as determined by the board.

Meetings
open to the
public

(2) Where matters confidential to the College are to be considered, the part of the meeting concerning such matters may be held *in camera*.

Exception

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless there is mutual agreement to the contrary by the board and the individual that such part of the meeting should be open to the public.

Idem

(4) The by-laws of the board shall be open to examination by the public during normal office hours of the College.

By-laws open
to public

(5) The board shall publish its by-laws from time to time in such manner as it may consider proper.

Publication
of by-laws

9.—(1) The board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the board at least annually.

Annual audit
R.S.O. 1980,
c. 405

(2) A copy of the audited annual statement shall be made available for inspection by the public during the normal office hours of the College.

Inspection of
annual
statement

10. The College shall be carried on without the purpose of gain for the members of the board and any profits or other accretions to the College shall be used in promoting its objects.

Non-profit
corporation

11. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed or disposed of equally to the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Conference of Ontario or their successors.

Dissolution

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Conrad Grebel College Act, 1987*.

Bill Pr71

*(Chapter Pr11
Statutes of Ontario, 1988)*

An Act respecting Conrad Grebel College

Mr. Epp

<i>1st Reading</i>	November 19th, 1987
<i>2nd Reading</i>	January 7th, 1988
<i>3rd Reading</i>	January 7th, 1988
<i>Royal Assent</i>	January 7th, 1988

Bill Pr71

1987

An Act respecting Conrad Grebel College

Whereas the churches of the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Church of Ontario determined to establish a college of higher learning; that for such purposes Conrad Grebel College was incorporated by letters patent on the 20th day of April, 1961 and has provided post secondary education since such date; that the College has been affiliated with the University of Waterloo since the 15th day of December, 1961; and whereas the applicant hereby applies for special legislation providing for the continuance of its organization, government and administration, including the power to grant degrees in the field of theology; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“alumni association” means such organization of alumni as is from time to time recognized by by-law by the board;

“board” means the board of governors of the College;

“Charter Corporation” means Conrad Grebel College as it existed immediately prior to the coming into force of this Act;

“College” means Conrad Grebel College as incorporated under subsection 2 (1);

“faculty” means all persons employed by the board on a full-time basis for teaching or research or both;

“students” means those persons who are registered as students or who live in a residence operated by the College.

Charter
Corporation
reincor-
porated

2.—(1) The board of governors of the College is hereby constituted a body corporate without share capital under the name of “Conrad Grebel College”.

Rights and
liabilities
continued

(2) The property, rights, privileges and powers of the Charter Corporation are hereby continued and vested in the College and the liabilities of the Charter Corporation together with the benefits and burdens of all contracts and covenants of the Charter Corporation are hereby continued in and assumed by the College.

By-laws, etc.,
continued

(3) Subject to this Act, all by-laws, regulations, resolutions and appointments of the Charter Corporation shall continue as by-laws, regulations, resolutions and appointments of the College until amended, repealed or revoked.

Charter
Corporation
dissolved

(4) The Charter Corporation is dissolved on the day this Act comes into force.

Objects

3. The objects of the College are,

- (a)** to provide post secondary courses of study in the general arts, humanities and sciences; and
- (b)** to provide at the post secondary level, degrees, diplomas and certificate programs and courses of study based on Christian theology.

Powers

4. The College has all the powers necessary to do such things as are incidental or conducive to the attainment of its objects, including, without limiting the generality of the foregoing, the power,

- (a)** to establish and maintain faculties, schools, institutes, centres, departments, chairs and courses of instruction;
- (b)** to confer the following degrees in theology, namely, Bachelor of Theology, Master of Divinity, Master of Theological Studies, Master of Christian Studies, Master of Religious Education, Master of Theology, Master of Sacred Music, Doctor of Theology, Doctor of Ministry and the honorary Doctorate of Divinity; and
- (c)** to federate or affiliate with other universities, colleges and institutions.

Investment

5. The funds of the College not immediately required for its purposes and the proceeds of all property that come to the

College subject to any trusts affecting them may be invested in such investments as the board considers proper.

6.—(1) The affairs of the College shall be managed by the board. College managed by the board

(2) The board shall consist of, Composition of board

- (a) the president of the College, *ex officio*;
- (b) three members to be elected by the Western Ontario Mennonite Conference;
- (c) three members to be elected by the Mennonite Conference of Ontario and Quebec;
- (d) three members to be elected by the United Mennonite Conference of Ontario;
- (e) one member appointed by and from the alumni association;
- (f) one member appointed by and from the faculty of the College;
- (g) one member appointed by and from the students of the College;
- (h) such other members, not exceeding four in number, as may be appointed by the board.

(3) If two or three of the organizations mentioned in clause (2) (b), (c) or (d) unite, the successor organization shall be entitled to elect six or nine members, respectively, to the board. Merger of organizations

(4) The board may by by-law increase the size of the board to a maximum of twenty-two members with the appointment of the additional members to be determined by the by-law, but the students, faculty and staff shall not individually or collectively form a majority of the board. Idem

(5) Subject to subsection (6), members of the board, other than the president, shall hold office for three years and shall be eligible for reappointment for one additional consecutive term. Term of office

(6) Members appointed under clause (2) (f) or (g) shall hold office for one year and shall be eligible for reappointment for one additional consecutive term. Idem

Staggered
terms

(7) The board may by by-law provide for the appointment and retirement in rotation of the first members of the board appointed under subsection (2) and may determine that one or more of the first members so appointed shall serve for an initial term of less than three years.

First
members

(8) The board, until reconstituted in accordance with subsection (2), shall consist of those persons who, immediately prior to the coming into force of this Act, were members of the board of the Charter Corporation.

New board

(9) The board shall be reconstituted in accordance with subsection (2) within twelve months of the coming into force of this Act.

Quorum

(10) The quorum for the transaction of business of the board may be designated by by-law of the board.

Citizenship
or resident
status
1976-77,
c. 52 (Can.)

(11) Members of the board shall be Canadian citizens or permanent residents within the meaning of the *Immigration Act, 1976* (Canada).

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board

7. Except as provided by any agreement of federation or affiliation with any university or college, the government, conduct, management and control of the College and of its property, revenues, expenditures, business and affairs are vested in the board and the board has all powers necessary or convenient to perform its duties and achieve the objectives and purposes of the College, including, without limiting the generality of the foregoing, the power,

- (a) to enact by-laws for the conduct of its affairs;
- (b) to appoint and remove the president and officers of the College;
- (c) to establish and terminate programs and courses of study;
- (d) to grant tenure, promotions and leave, and to suspend and remove the academic officers and members of the faculty;
- (e) to establish and collect fees and charges for tuition and for services of any kind offered by the College and collect fees and charges on behalf of any entity, organization or element of the College; and

- (f) to grant diplomas, certificates and undergraduate and graduate degrees in theology, including honorary degrees in theology.

8.—(1) Subject to subsections (2) and (3), meetings of the board shall be open to the public and prior notice of the meeting shall be given to the members of the board and to the public in such manner as the board by by-law determines and no person shall be excluded from a meeting except for improper conduct as determined by the board.

Meetings open to the public

(2) Where matters confidential to the College are to be considered, the part of the meeting concerning such matters may be held *in camera*.

Exception

(3) Where a matter of a personal nature concerning an individual may be considered at a meeting, the part of the meeting concerning such individual shall be held *in camera* unless there is mutual agreement to the contrary by the board and the individual that such part of the meeting should be open to the public.

Idem

(4) The by-laws of the board shall be open to examination by the public during normal office hours of the College.

By-laws open to public

(5) The board shall publish its by-laws from time to time in such manner as it may consider proper.

Publication of by-laws

9.—(1) The board shall appoint one or more auditors licensed under the *Public Accountancy Act* to audit the accounts and transactions of the board at least annually.

Annual audit
R.S.O. 1980,
c. 405

(2) A copy of the audited annual statement shall be made available for inspection by the public during the normal office hours of the College.

Inspection of annual statement

10. The College shall be carried on without the purpose of gain for the members of the board and any profits or other accretions to the College shall be used in promoting its objects.

Non-profit corporation

11. Upon the dissolution of the College and after the payment of all debts and liabilities, the remaining property of the College shall be distributed or disposed of equally to the Western Ontario Mennonite Conference, the Mennonite Conference of Ontario and Quebec and the United Mennonite Conference of Ontario or their successors.

Dissolution

Commence-
ment

12. This Act comes into force on the day it receives Royal Assent.

Short title

13. The short title of this Act is the *Conrad Grebel College Act, 1988*.

Bill Pr72

An Act to revive 329931 Ontario Limited

Mr. Black

1st Reading June 15th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr72

1988

An Act to revive 329931 Ontario Limited

Whereas Robert Murrell hereby represents that 329931 Ontario Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of February, 1976; that the Minister of Consumer and Commercial Relations by order dated the 15th day of September, 1980 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 15th day of September, 1980; that the applicant was the director and the holder of all the common shares of the Corporation at the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 329931 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is *329931 Ontario Limited Act, 1988*.

Short title

Bill Pr72

An Act to revive 329931 Ontario Limited

Mr. Black

1st Reading June 15th, 1988

2nd Reading

3rd Reading

Royal Assent

(Reprinted as amended by the Regulations and Private Bills Committee)

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr72

1988

An Act to revive 329931 Ontario Limited

Whereas Robert Murrell hereby represents that 329931 Ontario Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of February, 1976; that the Minister of Consumer and Commercial Relations by order dated the 15th day of September, 1980 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 15th day of September, 1980; that the applicant was the director and the holder of all the common shares of the Corporation at the time of its dissolution; that on-going business activities have been carried on in the name of the Corporation since the date of dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 329931 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is *329931 Ontario Limited Act, 1988*.

Short title

Bill Pr72

(Chapter Pr46
Statutes of Ontario, 1988)

An Act to revive 329931 Ontario Limited

Mr. Black

<i>1st Reading</i>	June 15th, 1988
<i>2nd Reading</i>	June 29th, 1988
<i>3rd Reading</i>	June 29th, 1988
<i>Royal Assent</i>	June 29th, 1988

Bill Pr72

1988

An Act to revive 329931 Ontario Limited

Whereas Robert Murrell hereby represents that 329931 Ontario Limited, herein called the Corporation, was incorporated by letters patent dated the 2nd day of February, 1976; that the Minister of Consumer and Commercial Relations by order dated the 15th day of September, 1980 and made under the authority of subsection 251 (3) of *The Business Corporations Act*, being chapter 53 of the Revised Statutes of Ontario, 1970, cancelled the certificate of incorporation of the Corporation for default in filing annual returns and declared the Corporation to be dissolved on the 15th day of September, 1980; that the applicant was the director and the holder of all the common shares of the Corporation at the time of its dissolution; that on-going business activities have been carried on in the name of the Corporation since the date of dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. 329931 Ontario Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is *329931 Ontario Limited Act, 1988*.

Short title

Bill Pr73

An Act to revive George A. McNamara Memorial Foundation

Mr. Offer

<i>1st Reading</i>	November 24th, 1988
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr73

1988

**An Act to revive
George A. McNamara Memorial Foundation**

Whereas Paul McNamara, Jo-Anne Scott, Karen Cromer and Paul Blair McNamara, hereby represent that George A. McNamara Memorial Foundation, herein called the Corporation, was incorporated by letters patent dated the 18th day of July, 1956; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979 and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Paul McNamara is the chairperson of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a charitable foundation authorized by its letters patent and since that time the charitable functions of the Corporation have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. George A. McNamara Memorial Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as

Revival

of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *George A. McNamara Memorial Foundation Act, 1988*.

Bill Pr73

*(Chapter Pr57
Statutes of Ontario, 1988)*

An Act to revive George A. McNamara Memorial Foundation

Mr. Offer

<i>1st Reading</i>	November 24th, 1988
<i>2nd Reading</i>	December 15th, 1988
<i>3rd Reading</i>	December 15th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr73

1988

**An Act to revive
George A. McNamara Memorial Foundation**

Whereas Paul McNamara, Jo-Anne Scott, Karen Cromer and Paul Blair McNamara, hereby represent that George A. McNamara Memorial Foundation, herein called the Corporation, was incorporated by letters patent dated the 18th day of July, 1956; that the Minister of Consumer and Commercial Relations by order dated the 17th day of July, 1979 and made under the authority of subsection 347 (9) of *The Corporations Act*, being chapter 89 of the Revised Statutes of Ontario, 1970, cancelled the letters patent of the Corporation for default in complying with section 5 of *The Corporations Information Act*, 1976, being chapter 66, and declared the Corporation to be dissolved on the 17th day of July, 1979; that notice of the default was apparently sent to the Corporation at its address as shown on the files of the Ministry of Consumer and Commercial Relations; that the default occurred by reason of inadvertence; that Paul McNamara is the chairperson of the ongoing organization carried on in the name of the Corporation and all the applicants are directors thereof; that none of the applicants was aware of the dissolution of the Corporation until more than two years after the date thereof; that the Corporation at the time of its dissolution was operating a charitable foundation authorized by its letters patent and since that time the charitable functions of the Corporation have continued to be carried on in the name of the Corporation; and whereas the applicants hereby apply for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. George A. McNamara Memorial Foundation is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises, and subject to all its liabilities, contracts, disabilities and debts as

Revival

of the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. The short title of this Act is the *George A. McNamara Memorial Foundation Act, 1988*.

Bill Pr74

An Act respecting the City of London

Mrs. Cunningham

1st Reading February 8th, 1989

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The Bill authorizes the council of the City of London to pass by-laws respecting the licensing and regulating of persons who tow and store motor vehicles.

Bill Pr74

1989

An Act respecting the City of London

Whereas The Corporation of the City of London, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may pass by-laws,

By-laws
regulating
persons who
tow motor
vehicles

- (a) for licensing, regulating, governing and classifying persons who carry on the business of towing motor vehicles, and for fixing the fees for such licences, and for revoking or suspending any such licence; and
- (b) for establishing or regulating the rates to be charged by any class or classes of persons in respect of the towing of any motor vehicle without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise.

2. The council of the Corporation may pass by-laws,

By-laws
regulating
persons who
store motor
vehicles

- (a) for licensing, regulating, governing and classifying persons who carry on the business of storing motor vehicles, and for fixing the fees for such licences, and for revoking or suspending any such licence;
- (b) for establishing or regulating the rates to be charged by any class or classes of persons in respect of the care and storage of any motor vehicle towed without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise; and

- (c) for requiring that a location where a motor vehicle towed as described in clause (b) is stored shall remain open during the whole or any part of every day or any particular day of the year, as set out in the by-law, for the purpose of enabling the owner or operator of the vehicle to recover possession of the vehicle.

Offence

3. Every person who contravenes section 4 or a by-law passed under section 1 or 2, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$2,000, and where a corporation is convicted of an offence, the maximum penalty that may be imposed on the corporation is \$5,000 and not as otherwise provided herein.

No lien for
towing or
storage

4. No person who tows a motor vehicle without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise, and no person who stores such vehicle shall be entitled to retain possession of the vehicle or to a lien for the costs and charges of the removal, towing, care or storage of the vehicle,

- (a) unless immediately before being towed the vehicle was parked in the parking lot or parking facility for a continuous period of twenty-four hours or more; or
- (b) unless the vehicle is stored for a continuous period of seven days or more.

Hearing

5.—(1) Subject to subsection (2), before suspending or revoking a licence, the council of the Corporation shall afford the licence holder an opportunity to be heard.

Suspension
without
hearing

(2) The council of the Corporation may by by-law authorize an appointed officer identified in the by-law by name or position occupied to suspend any licence, without holding a hearing, for such time and subject to such conditions as the by-law may provide where the officer knows or has reason to believe that the health or safety of the public is in danger.

Limitation on
suspension

(3) No suspension of a licence by an appointed officer is effective after the expiration of four weeks from the date of suspension or after the next meeting of the council of the Corporation, whichever occurs first.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *City of London Act*, Short title
1989.



Bill Pr74

*(Chapter Pr7
Statutes of Ontario, 1989)*

An Act respecting the City of London

Mrs. Cunningham

<i>1st Reading</i>	February 8th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr74

1989

An Act respecting the City of London

Whereas The Corporation of the City of London, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may pass by-laws,

By-laws
regulating
persons who
tow motor
vehicles

- (a) for licensing, regulating, governing and classifying persons who carry on the business of towing motor vehicles, and for fixing the fees for such licences, and for revoking or suspending any such licence; and
- (b) for establishing or regulating the rates to be charged by any class or classes of persons in respect of the towing of any motor vehicle without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise.

2. The council of the Corporation may pass by-laws,

By-laws
regulating
persons who
store motor
vehicles

- (a) for licensing, regulating, governing and classifying persons who carry on the business of storing motor vehicles, and for fixing the fees for such licences, and for revoking or suspending any such licence;
- (b) for establishing or regulating the rates to be charged by any class or classes of persons in respect of the care and storage of any motor vehicle towed without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise; and

- (c) for requiring that a location where a motor vehicle towed as described in clause (b) is stored shall remain open during the whole or any part of every day or any particular day of the year, as set out in the by-law, for the purpose of enabling the owner or operator of the vehicle to recover possession of the vehicle.

Offence

3. Every person who contravenes section 4 or a by-law passed under section 1 or 2, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$2,000, and where a corporation is convicted of an offence, the maximum penalty that may be imposed on the corporation is \$5,000 and not as otherwise provided herein.

No lien for towing or storage

4. No person who tows a motor vehicle without the consent of the owner or operator from a parking lot or other parking facility to which the public by right or invitation has access, whether on payment of a fee or otherwise, and no person who stores such vehicle shall be entitled to retain possession of the vehicle or to a lien for the costs and charges of the removal, towing, care or storage of the vehicle,

- (a) unless immediately before being towed the vehicle was parked in the parking lot or parking facility for a continuous period of twenty-four hours or more; or
- (b) unless the vehicle is stored for a continuous period of seven days or more.

Hearing

5.—(1) Subject to subsection (2), before suspending or revoking a licence, the council of the Corporation shall afford the licence holder an opportunity to be heard.

Suspension without hearing

(2) The council of the Corporation may by by-law authorize an appointed officer identified in the by-law by name or position occupied to suspend any licence, without holding a hearing, for such time and subject to such conditions as the by-law may provide where the officer knows or has reason to believe that the health or safety of the public is in danger.

Limitation on suspension

(3) No suspension of a licence by an appointed officer is effective after the expiration of four weeks from the date of suspension or after the next meeting of the council of the Corporation, whichever occurs first.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *City of London Act*, Short title
1989.

Bill Pr75

An Act respecting the City of Sault Ste. Marie

Mr. Morin-Strom

1st Reading December 6th, 1988

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is to allow the City of Sault Ste. Marie to acquire ownership of all the shares of Cherokee Disposals & Construction Limited. The City would be required to dissolve the corporation immediately after acquiring the shares.

Bill Pr75

1988

An Act respecting the City of Sault Ste. Marie

Whereas The Corporation of the City of Sault Ste. Marie, herein called the municipal corporation, hereby represents that Cherokee Disposals & Construction Limited, a private Ontario corporation, owns and operates a sanitary landfill site in Sault Ste. Marie; that the municipal corporation wishes to acquire the assets or the shares of Cherokee Disposals & Construction Limited; that there are certain advantages to the shareholders of Cherokee Disposals & Construction Limited if the acquisition is by the transfer of shares; that the municipal corporation hereby applies for special legislation authorizing the purchase of the shares; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The municipal corporation may pass by-laws authorizing it to acquire all the issued and outstanding shares of Cherokee Disposals & Construction Limited.

Acquisition of shares of corporation by City

2. Any shares acquired by the municipal corporation pursuant to a by-law passed under section 1 shall be held in the name of The Corporation of the City of Sault Ste. Marie.

How shares to be held

3. After acquiring the shares in Cherokee Disposals & Construction Limited, the municipal corporation shall immediately begin proceedings to dissolve Cherokee Disposals & Construction Limited in accordance with the *Business Corporations Act, 1982* and shall conclude those proceedings as soon as possible.

Dissolution of corporation

1982, c. 4

4. This Act comes into force on the day it receives Royal Assent.

Commencement

5. The short title of this Act is the *City of Sault Ste. Marie Act, 1988*.

Short title

Bill Pr75

*(Chapter Pr58
Statutes of Ontario, 1988)*

An Act respecting the City of Sault Ste. Marie

Mr. Morin-Strom

<i>1st Reading</i>	December 6th, 1988
<i>2nd Reading</i>	December 15th, 1988
<i>3rd Reading</i>	December 15th, 1988
<i>Royal Assent</i>	December 15th, 1988

Bill Pr75

1988

An Act respecting the City of Sault Ste. Marie

Whereas The Corporation of the City of Sault Ste. Marie, herein called the municipal corporation, hereby represents that Cherokee Disposals & Construction Limited, a private Ontario corporation, owns and operates a sanitary landfill site in Sault Ste. Marie; that the municipal corporation wishes to acquire the assets or the shares of Cherokee Disposals & Construction Limited; that there are certain advantages to the shareholders of Cherokee Disposals & Construction Limited if the acquisition is by the transfer of shares; that the municipal corporation hereby applies for special legislation authorizing the purchase of the shares; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The municipal corporation may pass by-laws authorizing it to acquire all the issued and outstanding shares of Cherokee Disposals & Construction Limited.

Acquisition of shares of corporation by City

2. Any shares acquired by the municipal corporation pursuant to a by-law passed under section 1 shall be held in the name of The Corporation of the City of Sault Ste. Marie.

How shares to be held

3. After acquiring the shares in Cherokee Disposals & Construction Limited, the municipal corporation shall immediately begin proceedings to dissolve Cherokee Disposals & Construction Limited in accordance with the *Business Corporations Act*, 1982 and shall conclude those proceedings as soon as possible.

Dissolution of corporation

1982, c. 4

4. This Act comes into force on the day it receives Royal Assent.

Commencement

5. The short title of this Act is the *City of Sault Ste. Marie Act, 1988*.

Short title

Bill Pr76

An Act to revive John Zivanovic Holdings Limited

Mr. Offer

<i>1st Reading</i>	January 31st, 1989
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr76

1989

**An Act to revive
John Zivanovic Holdings Limited**

Whereas Janko Zivanovic hereby represents that John Zivanovic Holdings Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 6th day of October, 1977; that the certificate of incorporation of the Corporation was cancelled for default in complying with the *Corporations Tax Act*, and the Corporation declared to be dissolved on the 10th day of May, 1982; that the applicant was the sole director and holder of all the common shares of the Corporation at the time of its dissolution; that the request to rectify the default in complying with the *Corporations Tax Act*, although sent to the applicant as director, was not received by him until after he received the order cancelling the certificate of incorporation; that the Corporation at the time of its dissolution was carrying on active business and active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. John Zivanovic Holdings Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *John Zivanovic Holdings Limited Act, 1989*.

Short title

Bill Pr76

*(Chapter Pr8
Statutes of Ontario, 1989)*

An Act to revive John Zivanovic Holdings Limited

Mr. Offer

<i>1st Reading</i>	January 31st, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

Bill Pr76

1989

**An Act to revive
John Zivanovic Holdings Limited**

Whereas Janko Zivanovic hereby represents that John Zivanovic Holdings Limited, herein called the Corporation, was incorporated by articles of incorporation dated the 6th day of October, 1977; that the certificate of incorporation of the Corporation was cancelled for default in complying with the *Corporations Tax Act*, and the Corporation declared to be dissolved on the 10th day of May, 1982; that the applicant was the sole director and holder of all the common shares of the Corporation at the time of its dissolution; that the request to rectify the default in complying with the *Corporations Tax Act*, although sent to the applicant as director, was not received by him until after he received the order cancelling the certificate of incorporation; that the Corporation at the time of its dissolution was carrying on active business and active business has continued to be carried on in the name of the Corporation since the time of its dissolution; and whereas the applicant hereby applies for special legislation reviving the Corporation; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1980,
c. 97

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. John Zivanovic Holdings Limited is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Revival

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. The short title of this Act is the *John Zivanovic Holdings Limited Act, 1989*.

Short title

Bill Pr78

An Act respecting the County of Lanark

Mr. Wiseman

<i>1st Reading</i>	January 23rd, 1989
<i>2nd Reading</i>	
<i>3rd Reading</i>	
<i>Royal Assent</i>	

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr78

1989

An Act respecting the County of Lanark

Whereas The Corporation of the County of Lanark hereby Preamble
 applies for special legislation to enable it to provide facilities
 to certain local municipalities for the management and
 disposal of waste, to assume the responsibility for the
 collection and removal of waste from a local municipality with
 the agreement of that local municipality, to establish and
 operate programs in conjunction with certain municipalities
 for the reduction, recovery, recycling, re-use and composting
 of waste and to establish facilities for the conversion of waste;
 and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“County” means The Corporation of the County of Lanark;

“county council” means the council of the County;

“county officer” means one or more persons designated by
 by-law under subsection 12 (1);

“county waste management system” means a waste management system established under this Act;

“liquid industrial waste or hazardous waste” means hauled
 liquid industrial waste or hazardous waste as defined in the
Environmental Protection Act;

R.S.O. 1980,
 c. 141

“local municipality” means a village, town or township;

“subscribing municipality” means,

- (a) the townships of Bathurst, Beckwith, Darling, Drummond, Montague, North Burgess, North Elmsley, Pakenham, Ramsay, South Elmsley and South Sherbrooke,

- (b) the towns of Almonte, Carleton Place, Perth and Smiths Falls,
- (c) the Village of Lanark, and
- (d) any local municipality that passes a by-law under subsection 2 (7);

“waste” means ashes, garbage, refuse, domestic waste, industrial solid waste and such other waste as may be designated by by-law of the County, but does not include liquid industrial waste or hazardous waste unless designated by by-law of the county council;

R.S.O. 1980,
c. 141

“waste disposal facility” means a site and the facilities constructed thereon for the disposal or management of waste and includes a landfill site, composting site and incinerator that are operated pursuant to a certificate of approval issued under the *Environmental Protection Act*;

“waste management service area” means the geographical area comprising the subscribing municipalities;

“waste management system” means facilities, equipment and operations for the management and disposal of waste and includes the handling, transportation, storage, processing, disposal and treatment of waste, but does not include the collection of waste and the transportation of such waste by a subscribing municipality to the waste management system, except by agreement between the County and a subscribing municipality.

County waste
management
system

2.—(1) The county council shall by by-law establish a waste management system for the waste management service area.

Transition

(2) Despite subsection (1), the subscribing municipalities shall continue to provide facilities for the disposal of waste until the county council passes a by-law stating that the County has established and is ready to operate and manage a waste management system for the waste management service area.

Exclusive
operation

(3) When a by-law is passed under subsection (2), no person or other municipality shall provide facilities for the disposal of waste in the waste management service area without the consent of the county council, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon.

(4) Despite subsection (3), a subscribing municipality that is operating a waste disposal facility on the day this Act comes into force may continue to operate the facility after a by-law is passed under subsection (2) until the earlier of the date of the closure of the facility or the date that the subscribing municipality requests the use of the county waste management system. Exception

(5) The County is not responsible for providing waste management services to a subscribing municipality that continues to operate a waste disposal facility under subsection (4) but may charge the subscribing municipality a rate or levy under section 8. Idem

(6) Nothing in this Act affects any contract for the disposal of waste that exists on the day this Act comes into force between any person and a subscribing municipality, but the County and the subscribing municipality may enter into an agreement whereby the County assumes all or part of the liability created by such contract in respect of the disposal of waste. Existing contracts

(7) A local municipality in the County of Lanark that is not a subscribing municipality may by by-law and with the consent of the county council and upon such terms, including the payment of compensation, as may be agreed upon, become a subscribing municipality. New subscribing municipalities

(8) If the county council refuses its consent under subsection (7) or the local municipality and the county council fail to agree on terms for the consent, the local municipality may refer the matter to the Ontario Municipal Board and the decision of the Municipal Board is final. Disagreement referred to O.M.B.

(9) Before passing a by-law under subsection (2), Agreements

(a) the County shall enter into an agreement with The Corporation of the Town of Smiths Falls, whereby the County agrees to include the Town of Smiths Falls within its waste management system on such terms, including the payment of compensation, as may be agreed upon; and

(b) the County shall enter into an agreement with The Corporation of the Township of South Elmsley, whereby the County agrees to include the Township of South Elmsley within its waste management system on such terms, including the payment of compensation, as may be agreed upon.

O.M.B. to
settle
agreement

(10) If the County and The Corporation of the Town of Smiths Falls or the County and The Corporation of the Township of South Elmsley are not able to enter into the agreement referred to in subsection (9), the County or The Corporation of the Town of Smiths Falls or The Corporation of the Township of South Elmsley may refer the matter to the Municipal Board.

Determina-
tion by
O.M.B.

(11) The Municipal Board shall settle the provisions of the agreement referred to it and the parties shall be bound by the agreement, as of the date the by-law is passed under subsection (2), whether the agreement is signed by them or not.

Effect of
referral to
O.M.B.

(12) Despite subsection (9), the county council may pass a by-law under subsection (2), if,

- (a) the matter of the agreement between the County and The Corporation of the Town of Smiths Falls has been referred to the Municipal Board under subsection (10) and The Corporation of the Township of South Elmsley has entered into an agreement under clause (9) (b);
- (b) the matter of the agreement between the County and The Corporation of the Township of South Elmsley has been referred to the Municipal Board under subsection (10) and The Corporation of the Town of Smiths Falls has entered into an agreement under clause (9) (a); or
- (c) the matter of the agreement between the County and The Corporation of the Town of Smiths Falls and the matter of the agreement between the County and The Corporation of the Township of South Elmsley have both been referred to the Municipal Board under subsection (10).

Transfer of
property

3.—(1) The county council may pass by-laws to assume as a part of the county waste management system any solid waste disposal facilities, works and equipment vested in a subscribing municipality, and the facilities, works and equipment specified therein shall vest in the County on the date set out in the by-law.

Liabilities
assumed by
County

(2) The County shall pay to a subscribing municipality on or before the due date, all amounts of principal and interest becoming due upon any outstanding debt of the subscribing municipality in respect of the property vested in the County under subsection (1).

(3) If the County fails to make any payment required by subsection (2) on or before the due date, the subscribing municipality affected may charge the County interest at the rate of 15 per cent per annum thereon, or such lower rate as the subscribing municipality determines, from the due date until payment is made.

Failure to
pay

(4) If there is disagreement between the County and a subscribing municipality as to whether an outstanding debt or portion thereof was incurred in respect of property vested in the County under subsection (1), the County or the local municipality may refer the matter to the Municipal Board and the decision of the Municipal Board is final.

Disagreement
referred to
O.M.B.

(5) Unless the County and a subscribing municipality agree otherwise, if the County passes a by-law under subsection (1) or enters into an agreement under subsection 2 (6), the subscribing municipality affected shall not be required to provide facilities for the disposal of waste from the date that the vesting takes place or from the date agreed upon, and the County shall be deemed to have assumed such responsibility from that date.

Subscribing
municipality
not to
provide
service

4.—(1) For the purposes of establishing a waste management system, the County may,

General
powers of
County

- (a) acquire and use land;
- (b) erect, maintain and operate waste disposal facilities;
- (c) prohibit or regulate the dumping, treating and disposing of waste, or any class thereof, upon such land and facilities;
- (d) contract with Her Majesty in right of Canada, Her Majesty in right of a province, any agency of either of them, a local or regional municipality in Ontario or Quebec or a local board thereof, or any person; and
- (e) provide standards and regulations for vehicles, or any class thereof, used for the haulage of waste to a waste disposal facility.

(2) Despite paragraph 84 of section 210 of the *Municipal Act*, the County may acquire land in a subscribing municipality for the purposes of this Act without the approval of the subscribing municipality or the Municipal Board.

Consent not
required to
acquire land
R.S.O. 1980,
c. 302

Recycling
programs

5.—(1) The County may establish and operate programs for the reduction, recovery, recycling, re-use and composting of waste and resource recovery and may enter into agreements with one or more subscribing municipalities to provide for the joint management and operation of the programs upon such terms, including the payment of compensation, as may be agreed upon.

Agreements

(2) An agreement under subsection (1) may provide that the County is responsible for the collection and marketing of waste separated by the public at source for recycling or re-use.

Conversion
of waste

6.—(1) The County may erect, maintain and operate buildings, structures, machinery or equipment for the recovery, manufacture, production, supply, sale or distribution from domestic or industrial sewage or waste any product, resource, commodity, electrical power or energy, hot water or steam, and for such purposes may,

- (a) enter into agreements with any person;
- (b) carry on investigations, experiments, research or development;
- (c) construct and maintain pipes, apparatus and equipment on, over, under or across any highway or any other land; and
- (d) acquire any patent or licence or any interest in any patent or licence, or dispose of any patent or licence by sale or otherwise.

R.S.O. 1980,
c. 309 does
not apply

(2) The *Municipal Franchises Act* does not apply to any act of the County under subsection (1).

Issue of
debentures

7.—(1) The county council may by by-law authorize the issue of debentures to raise funds for the purposes of this Act without the assent of the electors.

O.M.B.
approval

(2) A by-law passed under subsection (1) does not come into effect until approved by the Municipal Board.

Costs
recovered
from
subscribing
municipality

8.—(1) The county council may by by-law provide for imposing on and collecting from a subscribing municipality a waste management rate sufficient to pay the whole or such portion as the by-law may specify of the County's costs, including debenture charges and expenditures, of the establishment, maintenance and operation of the county waste management system and such rate may be based on the volume, weight or class of waste received from the subscribing

municipality or on any other basis that the by-law may specify.

(2) The county council may by by-law impose a levy or rate on subscribing municipalities or persons using the county waste management system to raise any funds required by the County for the purposes of this Act.

Levy or rate
on users

(3) The levies and rates described in subsections (1) and (2) may be imposed before the establishment of the county waste management system if they are intended to raise funds to establish the county waste management system.

Costs in
advance of
system

(4) All rates or levies imposed under subsection (1) or (2) on a subscribing municipality constitute a debt of the subscribing municipality to the County and shall be payable at such times and in such amounts as may be set out in the by-law.

Debt

(5) Despite subsections (1), (2) and (3), a subscribing municipality that is operating a waste disposal facility pursuant to subsection 2 (4) shall be charged or levied only for the capital and other costs incurred by the County in the establishment of the county waste management system until the subscribing municipality's waste disposal facility is closed or the subscribing municipality requests the use of the county waste management system, whichever is earlier.

Rates for
non-partici-
pating
subscribing
municipalities

(6) A subscribing municipality,

Payment by
subscribing
municipality

(a) may pay the whole or part of the amount charged to it under this section out of its general funds; and

(b) may pass by-laws under paragraphs 85 and 86 of section 210 of the *Municipal Act* for imposing rates to recover the whole or part of the amount charged to it.

R.S.O. 1980,
c. 302

9.—(1) The county council may by by-law prescribe one or more routes on local roads with the consent of the subscribing municipality or local municipality affected and on county roads to be used by vehicles, or any class or classes thereof, in hauling waste to any waste disposal facility located in the County.

Routes

(2) A by-law passed under subsection (1) may provide different restrictions on the use of different roads or routes.

Restrictions

(3) A consent under subsection (1) may be given upon such terms, including the payment of compensation, as the County

Terms of
consent

and the subscribing municipality or local municipality agree upon.

Disagreement
referred to
O.M.B.

(4) If a local municipality or subscribing municipality refuses its consent under subsection (1) or the County and the local municipality or subscribing municipality fail to agree on the terms for the consent, the County may refer the matter to the Municipal Board and the decision of the Municipal Board is final.

Land use for
disposal by-
laws
R.S.O. 1980,
c. 302

10.—(1) A by-law passed by a subscribing municipality under clause (a) of paragraph 129 of section 210 of the *Municipal Act* does not apply to the County.

Idem

(2) The County may exercise the powers granted under clause (a) of paragraph 129 of section 210 of the *Municipal Act*.

Collection
and removal
of waste in
subscribing
municipality

11.—(1) With the consent of a subscribing municipality, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon, the county council may pass by-laws to assume the responsibility for the collection and removal of waste for that subscribing municipality or for one or more defined areas therein.

Consent
required for
repeal of
County
by-law

(2) A by-law passed under subsection (1) shall not be repealed without the consent of the affected subscribing municipality, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon.

County
responsible
for collection
of waste

(3) On and after the day a by-law is passed under subsection (1),

- (a) the County shall be responsible for the collection and removal of waste in the subscribing municipality or defined areas therein to which the by-law applies;
- (b) the County has all the powers conferred by any general or special Act upon the subscribing municipality or local board thereof for the collection and removal of waste;
- (c) no subscribing municipality shall collect or remove waste in the subscribing municipality or defined areas therein to which the by-law applies without the consent of the County, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon;

- (d) all rights and obligations and all personal property of the subscribing municipality pertaining to or exclusively used for the collection and removal of waste in the subscribing municipality or defined areas therein to which the by-law applies are vested in the County without compensation;
- (e) subsections 3 (3) and (4) apply with necessary modifications to outstanding debts in respect of the property vested in the County under clause (d); and
- (f) where, before the passing of the by-law, the subscribing municipality had entered into an agreement for another municipality or person to collect and remove waste in the subscribing municipality or defined area therein to which the by-law applies, the County shall be bound by the agreement, and the subscribing municipality is relieved of all liability under the agreement.

(4) The county council may by by-law provide for imposing on and collecting from a subscribing municipality in which or in defined areas of which it collects and removes waste, a waste collection rate sufficient to pay the whole or such portion as the by-law may specify of the County costs, including debenture charges, and expenditures for the establishment, maintenance and operation of the waste collection and removal system in the subscribing municipality and such rate may be based on the volume, weight or class of waste collected and removed or on any other basis set out in the by-law.

Costs
recovered
from
subscribing
municipality

(5) All rates under subsection (4) constitute a debt of the subscribing municipality to the County and shall be payable at such times and in such amounts as may be set out in the by-law.

Debt

(6) A subscribing municipality,

Payment by
subscribing
municipality

- (a) may pay the whole or part of the amount charged to it under this section out of its general funds; and
- (b) may pass by-laws under paragraphs 85 and 86 of section 210 of the *Municipal Act* for imposing rates to recover the whole or part of the amount charged to it.

R.S.O. 1980,
c. 302

12.—(1) The county council may by by-law designate one or more persons as county officers for the purposes of this Act.

County
officers

Limitation

(2) In a by-law passed under subsection (1), the county council may limit the duties or authority, or both, of a county officer in such manner as the county council considers appropriate.

Powers

13. A county officer, for the purpose of carrying out his or her duties,

- (a) may enter any place at any reasonable time;
- (b) may conduct surveys, examinations, investigations, tests and inquiries;
- (c) may require that surveys, examinations, investigations, tests and inquiries be conducted;
- (d) may request the production for inspection of any documents or things;
- (e) upon giving a receipt therefor, may remove from a place documents and things produced pursuant to a request under clause (d) for the purpose of making copies and shall promptly return them to the person who produced them;
- (f) may make, take and remove any samples or extracts;
- (g) may require the making or taking of any samples or extracts; and
- (h) may record or copy information by any method.

Entry to dwellings

14.—(1) A person shall not exercise a power of entry under section 13 to enter a place that is being used as a dwelling without the consent of the occupier, except under the authority of a warrant issued under this section.

Warrant for entry

(2) If a judge of the District Court is satisfied on evidence upon oath by a county officer that there is reasonable ground to believe that it is necessary to enter any place to which entry has been denied or to which a county officer has been prevented from carrying out his or her duties under this Act so that a county officer may carry out his or her duties, the judge may issue a warrant authorizing the county officer named in the warrant to enter the land specified in the warrant.

Authority given by warrant

(3) A warrant issued under this section authorizes the county officer to whom it is issued, by force if necessary, and together with such police officers as the county officer calls

upon for assistance, to do anything set out in section 13 and specified in the warrant.

(4) A warrant issued under this section shall specify the hours and days during which it may be executed. Execution of warrant

(5) A warrant issued under this section shall state the date on which it expires. Expiry of warrant

(6) A judge of the District Court may receive and consider an application for a warrant under this section without notice to and in the absence of the owner or occupier of the place named in the warrant. Application without notice

15. This Act comes into force on the day it receives Royal Assent. Commence-ment

16. The short title of this Act is the *County of Lanark Act, 1989*. Short title

Bill Pr78

*(Chapter Pr12
Statutes of Ontario, 1989)*

An Act respecting the County of Lanark

Mr. Wiseman

<i>1st Reading</i>	January 23rd, 1989
<i>2nd Reading</i>	March 2nd, 1989
<i>3rd Reading</i>	March 2nd, 1989
<i>Royal Assent</i>	March 2nd, 1989

Bill Pr78

1989

An Act respecting the County of Lanark

Whereas The Corporation of the County of Lanark hereby applies for special legislation to enable it to provide facilities to certain local municipalities for the management and disposal of waste, to assume the responsibility for the collection and removal of waste from a local municipality with the agreement of that local municipality, to establish and operate programs in conjunction with certain municipalities for the reduction, recovery, recycling, re-use and composting of waste and to establish facilities for the conversion of waste; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“commercial motor vehicle” means a motor vehicle having permanently attached thereto a truck or delivery body;

“County” means The Corporation of the County of Lanark;

“county council” means the council of the County;

“county officer” means one or more persons designated by by-law under subsection 12 (1);

“county waste management system” means a waste management system established under this Act;

“liquid industrial waste or hazardous waste” means hauled liquid industrial waste or hazardous waste as defined in the *Environmental Protection Act*;

R.S.O. 1980,
c. 141

“local municipality” means a village, town or township;

“municipality” means a municipality as defined in the *Municipal Affairs Act*, and a metropolitan, regional or district municipality, and the County of Oxford or a local board of

R.S.O. 1980,
c. 303

a metropolitan, regional or district municipality or of the County of Oxford;

“subscribing municipality” means,

- (a) the townships of Bathurst, Beckwith, Darling, Drummond, Montague, North Burgess, North Elmsley, Pakenham, Ramsay, South Elmsley and South Sherbrooke,
- (b) the towns of Almonte, Carleton Place, Perth and Smiths Falls,
- (c) the Village of Lanark, and
- (d) any local municipality that passes a by-law under subsection 2 (7);

“waste” means ashes, garbage, refuse, domestic waste, industrial solid waste and such similar waste as may be designated by by-law of the County;

R.S.O. 1980,
c. 141

“waste disposal facility” means a site and the facilities constructed thereon for the disposal or management of waste that are subject to approval under the *Environmental Protection Act* and includes a landfill site, composting site and incinerator;

“waste management service area” means the geographical area comprising the subscribing municipalities;

“waste management system” means facilities, equipment and operations for the management and disposal of waste and includes the handling, transportation, storage, processing, disposal and treatment of waste, but does not include the collection of waste and the transportation of such waste by a subscribing municipality, except by agreement between the County and a subscribing municipality.

County waste
management
system

2.—(1) The county council shall by by-law establish a waste management system for the waste management service area.

Transition

(2) Despite subsection (1), the subscribing municipalities shall continue to provide waste disposal facilities until the county council passes a by-law stating that the County has established and is ready to operate and manage a waste management system for the waste management service area.

(3) When a by-law is passed under subsection (2), no person or municipality shall establish a waste disposal facility in the waste management service area without the consent of the county council, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon.

Exclusive operation

(4) If the county council refuses its consent under subsection (3) or the applicant and the county council fail to agree on the terms and conditions related to the consent, the applicant may appeal to the Municipal Board which shall hear and determine the matter, and may impose such terms and conditions as the Municipal Board considers appropriate and the decision of the Municipal Board is final.

Appeal to O.M.B.

(5) Despite subsection (3), a subscribing municipality that is operating a waste disposal facility on the day this Act comes into force may continue to operate the facility after a by-law is passed under subsection (2) until the earlier of the date of the closure of the facility or the date that the subscribing municipality requests the use of the county waste management system.

Exception

(6) The County is not responsible for providing waste management services to a subscribing municipality that continues to operate a waste disposal facility under subsection (5) but may charge the subscribing municipality a rate or levy under section 8.

Idem

(7) Nothing in this Act affects any contract for the disposal of waste that exists on the day this Act comes into force between any person or municipality and a subscribing municipality but the County and the subscribing municipality may enter into an agreement whereby the County assumes all or part of the benefits and liabilities created by such contract in respect of the disposal of waste.

Existing contracts

(8) A local municipality in the County of Lanark that is not a subscribing municipality may by by-law and with the consent of the county council and upon such terms, including the payment of compensation, as may be agreed upon, become a subscribing municipality.

New subscribing municipalities

(9) If the county council refuses its consent under subsection (8) or the local municipality and the county council fail to agree on terms for the consent, the local municipality may refer the matter to the Ontario Municipal Board and the decision of the Municipal Board is final.

Disagreement referred to O.M.B.

(10) Before passing a by-law under subsection (2),

Agreements

- (a) the County shall enter into an agreement with The Corporation of the Town of Smiths Falls, whereby the County agrees to include the Town of Smiths Falls within its waste management system on such terms, including the payment of compensation, as may be agreed upon; and
- (b) the County shall enter into an agreement with The Corporation of the Township of South Elmsley, whereby the County agrees to include the Township of South Elmsley within its waste management system on such terms, including the payment of compensation, as may be agreed upon.

O.M.B. to
settle
agreement

(11) If the County and The Corporation of the Town of Smiths Falls or the County and The Corporation of the Township of South Elmsley are not able to enter into the agreement referred to in subsection (10), the County or The Corporation of the Town of Smiths Falls or The Corporation of the Township of South Elmsley may refer the matter to the Municipal Board.

Determi-
nation by
O.M.B.

(12) The Municipal Board shall settle the provisions of the agreement referred to it and the parties shall be bound by the agreement, as of the date the by-law is passed under subsection (2), whether the agreement is signed by them or not.

Effect of
referral to
O.M.B.

(13) Despite subsection (10), the county council may pass a by-law under subsection (2), if,

- (a) the matter of the agreement between the County and The Corporation of the Town of Smiths Falls has been referred to the Municipal Board under subsection (11) and The Corporation of the Township of South Elmsley has entered into an agreement under clause (10) (b);
- (b) the matter of the agreement between the County and The Corporation of the Township of South Elmsley has been referred to the Municipal Board under subsection (11) and The Corporation of the Town of Smiths Falls has entered into an agreement under clause (10) (a); or
- (c) the matter of the agreement between the County and The Corporation of the Town of Smiths Falls and the matter of the agreement between the County and The Corporation of the Township of South Elmsley have both been referred to the Municipal Board under subsection (11).

3.—(1) The county council may pass by-laws to assume as a part of the county waste management system any solid waste disposal facilities, works and equipment vested in a subscribing municipality, and the facilities, works and equipment specified therein shall vest in the County on the date set out in the by-law.

Transfer of
property

(2) The County shall pay to a subscribing municipality on or before the due date, all amounts of principal and interest becoming due upon any outstanding debt of the subscribing municipality in respect of the property vested in the County under subsection (1).

Liabilities
assumed by
County

(3) If the County fails to make any payment required by subsection (2) on or before the due date, the subscribing municipality affected may charge the County interest at the rate of 15 per cent per annum thereon, or such lower rate as the subscribing municipality determines, from the due date until payment is made.

Failure to
pay

(4) If there is disagreement between the County and a subscribing municipality as to whether an outstanding debt or portion thereof was incurred in respect of property vested in the County under subsection (1), the County or the local municipality may refer the matter to the Municipal Board and the decision of the Municipal Board is final.

Disagreement
referred to
O.M.B.

(5) Unless the County and a subscribing municipality agree otherwise, if the County passes a by-law under subsection (1) or enters into an agreement under subsection 2 (7), the subscribing municipality affected shall not be required to provide facilities for the disposal of waste from the date that the vesting takes place or from the date agreed upon, and the County shall be deemed to have assumed such responsibility from that date.

Subscribing
municipality
not to
provide
service

(6) When a by-law is passed under section 2, the county council shall establish a reserve fund in regard to a discharge of a contaminant to the environment from a waste disposal facility of a subscribing municipality which may occur after the facility has ceased operation and has closed.

Establish-
ment of
reserve fund

(7) The county council shall deposit in the reserve fund \$1.00 for each tonne of waste received at its waste disposal facilities or such greater amount per tonne as the county council may determine until the fund is equal to \$1,000,000.00 or such greater amount as the county council may determine.

Funding the
reserve fund

Alternative
methods of
funding

(8) The county council may contribute to the reserve fund such additional amounts and through such means as it, in its sole discretion, decides.

Investments
and income

R.S.O. 1980,
c. 512

(9) The money deposited in the reserve fund shall be paid into a special account and may be invested in such securities as a trustee may invest under the *Trustee Act*, and the earnings derived from the investment form part of the reserve fund.

Application
to fund

(10) Upon the application of a subscribing municipality, the county council shall reimburse the subscribing municipality from the reserve fund in respect of money paid by the subscribing municipality attributable to any discharge of a contaminant to the environment from a waste disposal facility of the subscribing municipality which occurs after the facility has ceased to be used by such municipality and has been closed.

Disagreement
referred to
O.M.B.

(11) If there is a disagreement between the County and a subscribing municipality as to whether the amount sought to be collected from the reserve fund is properly attributable to a discharge of a contaminant to the environment from a waste disposal facility of a subscribing municipality, the County or the subscribing municipality may refer the matter to the Ontario Municipal Board and the decision of the Municipal Board is final.

Restriction
on County
obligation

(12) The obligation of the county council to a subscribing municipality under subsection (10) is restricted to the amount of moneys in the reserve fund at the date of the application made under subsection (10).

Maintaining
the fund

(13) If a payment is made by county council under subsection (10) before the reserve fund contains at least \$1,000,000.00, the obligation of the county council under subsection (7) continues.

Idem

(14) If a payment is made by county council under subsection (10) after the reserve fund contains at least \$1,000,000.00 and the payment results in the reserve fund containing less than \$1,000,000.00, the county council shall re-establish the reserve fund at \$1,000,000.00 by depositing in the fund moneys at the rate of \$1.00 per tonne of waste received at its waste disposal facilities or such greater amount per tonne as the county council may determine.

General
powers of
County

4.—(1) For the purposes of establishing a waste management system, the County may,

(a) acquire and use land;

- (b) erect, maintain and operate waste disposal facilities;
- (c) prohibit or regulate the dumping, treating and disposing of waste, or any class thereof, upon such land and facilities;
- (d) contract with Her Majesty in right of Canada, Her Majesty in right of a province, any agency of either of them, a municipality or local board thereof; and
- (e) provide standards and regulations for commercial motor vehicles, or any class thereof, used for the haulage of waste to a waste disposal facility.

(2) For the purposes of this Act, paragraph 84 of section 210 of the *Municipal Act* applies, with necessary modifications, to the County.

Application
of
R.S.O. 1980,
c. 302

5.—(1) The County may establish and operate programs for the reduction, recovery, recycling, re-use and composting of waste and resource recovery and may enter into agreements with one or more subscribing municipalities to provide for the joint management and operation of the programs upon such terms, including the payment of compensation, as may be agreed upon.

Recycling
programs

(2) An agreement under subsection (1) may provide that the County is responsible for the collection and marketing of waste separated by the public at source for recycling or re-use.

Agreements

6.—(1) The County may erect, maintain and operate buildings, structures, machinery or equipment for the recovery, manufacture, production, supply, sale or distribution from domestic or industrial sewage or waste any product, resource, commodity, electrical power or energy, hot water or steam, and for such purposes may,

Conversion
of waste

- (a) enter into agreements with any person;
- (b) carry on investigations, experiments, research or development;
- (c) construct and maintain pipes, apparatus and equipment on, over, under or across any highway or any other land; and
- (d) acquire any patent or licence or any interest in any patent or licence, or dispose of any patent or licence by sale or otherwise.

R.S.O. 1980,
c. 309 does
not apply

(2) The *Municipal Franchises Act* does not apply to any act of the County under subsection (1).

Issue of
debentures

7.—(1) The county council may by by-law authorize the issue of debentures to raise funds for the purposes of this Act without the assent of the electors.

O.M.B.
approval

(2) A by-law passed under subsection (1) does not come into effect until approved by the Municipal Board.

Costs
recovered
from
subscribing
municipality

8.—(1) The county council may by by-law provide for imposing on and collecting from a subscribing municipality a waste management rate sufficient to pay the whole or such portion as the by-law may specify of the County's costs, including debenture charges and expenditures, of the establishment, maintenance and operation of the county waste management system and any programs established under section 5 or 6 and such rate may be based on the volume, weight or class of waste received from the subscribing municipality or on any other basis that the by-law may specify.

Levy or rate
on users

(2) The county council may by by-law impose a levy or rate on subscribing municipalities or persons using the county waste management system to raise any funds required by the County for the purposes of this Act.

Costs in
advance of
system

(3) The levies and rates described in subsections (1) and (2) imposed on subscribing municipalities may be imposed before the establishment of the county waste management system if they are intended to raise funds to establish the county waste management system.

Debt

(4) All rates or levies imposed under subsection (1) or (2) on a subscribing municipality constitute a debt of the subscribing municipality to the County and shall be payable at such times and in such amounts as may be set out in the by-law.

Rates for
non-partici-
pating
subscribing
municipalities

(5) Despite subsections (1), (2) and (3), a subscribing municipality that is operating a waste disposal facility pursuant to subsection 2 (5) shall be charged or levied only for the capital and other costs incurred by the County in the establishment of the county waste management system until the subscribing municipality's waste disposal facility is closed or the subscribing municipality requests the use of the county waste management system, whichever is earlier.

Payment by
subscribing
municipality

(6) A subscribing municipality,

(a) may pay the whole or part of the amount charged to it under this section out of its general funds; and

- (b) may pass by-laws under paragraphs 85 and 86 of section 210 of the *Municipal Act* for imposing rates to recover the whole or part of the amount charged to it. R.S.O. 1980, c. 302

9.—(1) The county council may by by-law prescribe one or more routes on local roads with the consent of the subscribing municipality or local municipality affected and on county roads to be used by commercial motor vehicles, or any class or classes thereof, in hauling waste to any waste disposal facility located in the County. Routes

(2) A by-law passed under subsection (1) may provide different restrictions on the use of different roads or routes. Restrictions

(3) A consent under subsection (1) may be given upon such terms, including the payment of compensation, as the County and the subscribing municipality or local municipality agree upon. Terms of consent

(4) If a local municipality or subscribing municipality refuses its consent under subsection (1) or the County and the local municipality or subscribing municipality fail to agree on the terms for the consent, the County may refer the matter to the Municipal Board and the decision of the Municipal Board is final. Disagreement referred to O.M.B.

10.—(1) No subscribing municipality shall exercise the powers granted under clause (a) of paragraph 129 of section 210 of the *Municipal Act*. Land use for disposal by-laws R.S.O. 1980, c. 302

(2) The County may exercise the powers granted under clause (a) of paragraph 129 of section 210 of the *Municipal Act* in regard to waste. Idem

11.—(1) With the consent of a subscribing municipality, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon, the county council may pass by-laws to assume the responsibility for the collection and removal of waste for that subscribing municipality or for one or more defined areas therein. Collection and removal of waste in subscribing municipality

(2) A by-law passed under subsection (1) shall not be repealed without the consent of the affected subscribing municipality, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon. Consent required for repeal of County by-law

(3) On and after the day a by-law is passed under subsection (1), County responsible for collection of waste

- (a) the County shall be responsible for the collection and removal of waste in the subscribing municipality or defined areas therein to which the by-law applies;
- (b) the County has all the powers conferred by any general or special Act upon the subscribing municipality or local board thereof for the collection and removal of waste;
- (c) no subscribing municipality shall collect or remove waste in the subscribing municipality or defined areas therein to which the by-law applies without the consent of the County, which consent may be given upon such terms, including the payment of compensation, as may be agreed upon;
- (d) all rights and obligations and all personal property of the subscribing municipality pertaining to or exclusively used for the collection and removal of waste in the subscribing municipality or defined areas therein to which the by-law applies are vested in the County;
- (e) subsections 3 (3) and (4) apply with necessary modifications to outstanding debts in respect of the property vested in the County under clause (d); and
- (f) where, before the passing of the by-law, the subscribing municipality had entered into an agreement for another municipality or person to collect and remove waste in the subscribing municipality or defined area therein to which the by-law applies, the County shall be bound by the agreement, and the subscribing municipality is relieved of all liability under the agreement.

Costs
recovered
from
subscribing
municipality

(4) The county council may by by-law provide for imposing on and collecting from a subscribing municipality in which or in defined areas of which it collects and removes waste, a waste collection rate sufficient to pay the whole or such portion as the by-law may specify of the County costs, including debenture charges, and expenditures for the establishment, maintenance and operation of the waste collection and removal system in the subscribing municipality and such rate may be based on the volume, weight or class of waste collected and removed or on any other basis set out in the by-law.

(5) All rates under subsection (4) constitute a debt of the subscribing municipality to the County and shall be payable at such times and in such amounts as may be set out in the by-law. Debt

(6) A subscribing municipality, Payment by
subscribing
municipality

(a) may pay the whole or part of the amount charged to it under this section out of its general funds; and

(b) may pass by-laws under paragraphs 85 and 86 of section 210 of the *Municipal Act* for imposing rates to recover the whole or part of the amount charged to it. R.S.O. 1980,
c. 302

12.—(1) The county council may by by-law designate one or more persons as county officers for the purposes of this Act. County
officers

(2) In a by-law passed under subsection (1), the county council may limit the duties or authority, or both, of a county officer in such manner as the county council considers appropriate. Limitation

13.—(1) Where under the *Planning Act, 1983*, the *Municipal Act*, the *Environmental Assessment Act*, the *Environmental Protection Act*, the *Ontario Water Resources Act*, the *Expropriations Act*, or any other provincial statute, it is necessary to satisfy any requirement of those Acts or to obtain any approval relating to the establishment, operation and management of a waste management system or any part thereof, a county officer may exercise the powers in subsection (2) for the purpose of satisfying that requirement or obtaining that approval. Powers
1983, c. 1
R.S.O. 1980,
cc. 302, 140,
141, 361,
148

(2) For the purposes set out in subsection (1), a county officer, with the consent of the registered owner and occupier or pursuant to an order made under section 14, Idem

(a) may enter any place at any reasonable time;

(b) may conduct surveys, examinations, investigations, tests and inquiries be conducted;

(c) may require that surveys, examinations, investigations, tests and inquiries be conducted;

(d) may make, take and remove any samples or extracts;

(e) may require the making or taking of any samples or extracts; and

(f) may record or copy information by any method.

Proof of
identity

(3) When carrying out his or her duties under this Act, a county officer shall provide identification and authorization upon request.

Order
authorizing
entry

14.—(1) Upon application by the County to a judge of the District Court, the judge may make an order authorizing the county officer named in the order to enter the land specified in the order, where there is reasonable ground to believe that the land may be suitable for a waste management system or any part thereof and it is necessary to gain entry to the land for the purposes set out in subsection 13 (1) and the county officer has been denied entry on to the land or has been prevented from exercising his or her powers under this Act.

Contents of
order

(2) The order may,

(a) authorize the county officer to do anything set out in section 13 and specified in the order;

(b) authorize the county officer to use force in carrying out the order as is reasonable in the circumstances; and

(c) impose other terms, including the payment of compensation, as are just.

Execution of
order

(3) The order shall specify the hours and days during which it may be exercised and the date on which it expires.

Commence-
ment

15. This Act comes into force on the day it receives Royal Assent.

Short title

16. The short title of this Act is the *County of Lanark Act, 1989*.



Bill Pr79

An Act respecting the Town of Markham

Mr. Cousens

1st Reading January 30th, 1989

2nd Reading

3rd Reading

Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is to enable the Town of Markham to provide pensions for council members and their surviving spouses and children in accordance with the formula set out in subsection 2 (1).

Bill Pr79

1989

An Act respecting the Town of Markham

Whereas The Corporation of the Town of Markham, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

R.S.O. 1980,
c. 348

2.—(1) The council of the Corporation may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

(2) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior Service

(3) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (2).

Amendments
to by-law

(4) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.

Two-thirds
vote required

Adminis-
tration

3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board may enter into agreements to administer pensions provided under this Act.

Idem

(2) The Corporation may enter into agreements to administer pensions provided under this Act and such agreement may authorize the Corporation to enter an agreement under subsection (1).

Deductions

4. The Corporation shall deduct by installments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

Non-
application of
R.S.O. 1980,
c. 347,
ss. 64, 65

5. Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Ontario Municipal Board approval with respect to pensions provided under this Act.

Transition

6. A pension may be provided under this Act to a person who was a member of council on the 30th day of November, 1988, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to the 1st day of December, 1988.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *Town of Markham Act, 1989*.

Bill Pr79

(Chapter Pr9
Statutes of Ontario, 1989)

An Act respecting the Town of Markham

Mr. Cousens

<i>1st Reading</i>	January 30th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

THE
 JOURNAL OF THE
 AMERICAN MEDICAL ASSOCIATION
 PUBLISHED WEEKLY
 CHICAGO, ILL., U.S.A.

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Bill Pr79

1989

An Act respecting the Town of Markham

Whereas The Corporation of the Town of Markham, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the *Ontario Municipal Employees Retirement System Act*.

Definitions

R.S.O. 1980,
c. 348

2.—(1) The council of the Corporation may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the *Ontario Municipal Employees Retirement System Act*.

By-laws
respecting
pensions

(2) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

Prior Service

(3) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (2).

Amendments
to by-law

(4) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.

Two-thirds
vote required

Adminis-
tration

3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board may enter into agreements to administer pensions provided under this Act.

Idem

(2) The Corporation may enter into agreements to administer pensions provided under this Act and such agreement may authorize the Corporation to enter an agreement under subsection (1).

Deductions

4. The Corporation shall deduct by installments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

Non-
application of
R.S.O. 1980,
c. 347,
ss. 64, 65

5. Sections 64 and 65 of the *Ontario Municipal Board Act* do not apply so as to require Ontario Municipal Board approval with respect to pensions provided under this Act.

Transition

6. A pension may be provided under this Act to a person who was a member of council on the 30th day of November, 1988, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to the 1st day of December, 1988.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. The short title of this Act is the *Town of Markham Act, 1989*.

Bill Pr80

An Act respecting Strathroy Middlesex General Hospital

Mr. Reycraft

1st Reading January 9th, 1989
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr80

1989

**An Act respecting
Strathroy Middlesex General Hospital**

Whereas Strathroy Middlesex General Hospital hereby represents that it was continued as a hospital corporation under *The Strathroy Middlesex General Hospital Act, 1966*, being chapter 182; and that it is desirable to revise that Act to provide for changes in the membership of the Board of Governors, and the terms of service of the Board; and whereas the Corporation hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means The Board of Governors of the Strathroy Middlesex General Hospital;

“Corporation” means the Strathroy Middlesex General Hospital as continued under section 2;

“hospital” means the hospital known as Strathroy Middlesex General Hospital.

2. Strathroy Middlesex General Hospital is continued as a corporation without share capital and shall be composed of those persons who comprise its Board.

Hospital
corporation
continued

3.—(1) The affairs of the Corporation shall be managed by a Board of Governors.

Board of
Governors

(2) The Board shall be composed of,

Composition
of Board

- (a) a minimum of twelve and a maximum of twenty governors, including *ex officio* governors, as determined by by-law of the Board; and

R.S.O. 1980,
c. 410

- (b) such persons as are provided for under the *Public Hospitals Act*.

Quorum

- (3) A majority of governors constitutes a quorum of the Board.

By-laws
respecting
operation of
Board

- (4) Subject to the *Public Hospitals Act*, the Board may by by-law,

- (a) establish the term of office of the governors;
- (b) determine the manner in which vacancies on the Board are to be filled;
- (c) limit the number of terms or consecutive terms that a governor may serve on the Board;
- (d) determine the procedures for the calling and holding of meetings of the Board;
- (e) provide for the qualifications of governors; and
- (f) determine such other matters that are necessary for the operation of the Board.

Transition

- (5) Every governor in office immediately before the coming into force of this Act shall continue to hold office until his or her term of office expires.

Powers

4. Subject to the *Public Hospitals Act*, the Board may,

- (a) operate, maintain and manage the hospital;
- (b) acquire such real and personal property as is necessary for the operation of the hospital;
- (c) borrow money on the credit of the Corporation;
- (d) subject to the limitation by any specific trust, invest in such securities as are authorized for investments by trustees under the *Trustee Act*;
- (e) establish charges for hospital services.

R.S.O. 1980,
c. 512

Repeal

5. *The Strathroy Middlesex General Hospital Act, 1966*, being chapter 182, is repealed.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *Strathroy Middlesex General Hospital Act, 1989*. Short title





Bill Pr80

*(Chapter Pr10
Statutes of Ontario, 1989)*

An Act respecting Strathroy Middlesex General Hospital

Mr. Reycraft

<i>1st Reading</i>	January 9th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989

1877

1877

Bill Pr80

1989

An Act respecting Strathroy Middlesex General Hospital

Whereas Strathroy Middlesex General Hospital hereby represents that it was continued as a hospital corporation under *The Strathroy Middlesex General Hospital Act, 1966*, being chapter 182; and that it is desirable to revise that Act to provide for changes in the membership of the Board of Governors, and the terms of service of the Board; and whereas the Corporation hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Board” means The Board of Governors of the Strathroy Middlesex General Hospital;

“Corporation” means the Strathroy Middlesex General Hospital as continued under section 2;

“hospital” means the hospital known as Strathroy Middlesex General Hospital.

2. Strathroy Middlesex General Hospital is continued as a corporation without share capital and shall be composed of those persons who comprise its Board.

Hospital
corporation
continued

3.—(1) The affairs of the Corporation shall be managed by a Board of Governors.

Board of
Governors

(2) The Board shall be composed of,

Composition
of Board

- (a) a minimum of twelve and a maximum of twenty governors, including *ex officio* governors, as determined by by-law of the Board; and

R.S.O. 1980,
c. 410

- (b) such persons as are provided for under the *Public Hospitals Act*.

Quorum

- (3) A majority of governors constitutes a quorum of the Board.

By-laws
respecting
operation of
Board

- (4) Subject to the *Public Hospitals Act*, the Board may by by-law,

- (a) establish the term of office of the governors;
- (b) determine the manner in which vacancies on the Board are to be filled;
- (c) limit the number of terms or consecutive terms that a governor may serve on the Board;
- (d) determine the procedures for the calling and holding of meetings of the Board;
- (e) provide for the qualifications of governors; and
- (f) determine such other matters that are necessary for the operation of the Board.

Transition

- (5) Every governor in office immediately before the coming into force of this Act shall continue to hold office until his or her term of office expires.

Powers

4. Subject to the *Public Hospitals Act*, the Board may,

- (a) operate, maintain and manage the hospital;
- (b) acquire such real and personal property as is necessary for the operation of the hospital;
- (c) borrow money on the credit of the Corporation;
- (d) subject to the limitation by any specific trust, invest in such securities as are authorized for investments by trustees under the *Trustee Act*;
- (e) establish charges for hospital services.

R.S.O. 1980,
c. 512

Repeal

5. *The Strathroy Middlesex General Hospital Act, 1966*, being chapter 182, is repealed.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *Strathroy Middlesex General Hospital Act, 1989*. Short title





Bill Pr81

An Act respecting The Windsor Light Opera Association

Mr. Cooke
(*Windsor-Riverside*)

1st Reading January 11th, 1989
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr81

1989

**An Act respecting
The Windsor Light Opera Association**

Whereas The Windsor Light Opera Association, herein called the Association, hereby represents that it was incorporated by letters patent dated the 18th day of September, 1961; that the Association is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that on the 29th day of May, 1987, the Association acquired a freehold interest in lands located in the City of Windsor and known municipally as 2487 and 2491 Joseph St. Louis Avenue; that the lands are used as a centre for theatre arts for public workshops, performances and other presentations, rehearsals, storage and the creation of scenery and costumes; and whereas the Association hereby applies for special legislation to exempt the aforesaid real property occupied and used by it in the City of Windsor from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Windsor may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land as defined in the *Assessment Act*, occupied by the Association, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Association.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

Retroactive
by-law

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

Short title

4. The short title of this Act is the *Windsor Light Opera Association Act, 1989*.

SCHEDULE

Those lands and premises located in the City of Windsor in the County of Essex and being composed of part of lots 60 and 61 according to a plan registered in the Land Registry Office for the Registry Division of Essex No. 12 as Number 867, more particularly described as follows:

Bearings herein are referred to the western limit of Registered Plan 867 shown as having a bearing of north 23° 51' 19" west thereon;

COMMENCING at an iron bar found planted in the eastern limit of said Lot 61 distant 60 feet measured southerly therealong from the north-eastern corner thereof;

THENCE south 23° 39' 24" east and following the eastern limit of said Lot 61 and said Lot 60, 179.80 feet, more or less, to an iron bar found planted at the southeastern corner of said Lot 60;

THENCE south 66° 13' 45" west and following the southern limit of said Lot 60, 177.33 feet, be the same more or less, to an iron bar found planted in the line between the eastern one-half and the western one-half of said Lot 60;

THENCE north 23° 54' 10" west and following the last mentioned limit to and along the line between the east one-half and the west one-half of said Lot 61, 180.00 feet to a found iron bar;

THENCE north 66° 17' 35" east, 178.10 feet to the point of commencement.

Bill Pr81

*(Chapter Pr11
Statutes of Ontario, 1989)*

An Act respecting The Windsor Light Opera Association

Mr. Cooke
(Windsor-Riverside)

<i>1st Reading</i>	January 11th, 1989
<i>2nd Reading</i>	February 23rd, 1989
<i>3rd Reading</i>	February 23rd, 1989
<i>Royal Assent</i>	February 27th, 1989



Bill Pr81

1989

**An Act respecting
The Windsor Light Opera Association**

Whereas The Windsor Light Opera Association, herein called the Association, hereby represents that it was incorporated by letters patent dated the 18th day of September, 1961; that the Association is a registered charitable organization within the meaning of the *Income Tax Act* (Canada); that on the 29th day of May, 1987, the Association acquired a freehold interest in lands located in the City of Windsor and known municipally as 2487 and 2491 Joseph St. Louis Avenue; that the lands are used as a centre for theatre arts for public workshops, performances and other presentations, rehearsals, storage and the creation of scenery and costumes; and whereas the Association hereby applies for special legislation to exempt the aforesaid real property occupied and used by it in the City of Windsor from taxation for municipal and school purposes, other than local improvement rates; and whereas it is expedient to grant the application;

Preamble

R.S.C. 1952,
c. 148

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of The Corporation of the City of Windsor may pass by-laws exempting from taxes for municipal and school purposes, other than local improvement rates, the land as defined in the *Assessment Act*, occupied by the Association, being the lands and premises described in the Schedule, so long as the land is owned, occupied and used solely for the purposes of the Association.

Tax
exemption

R.S.O. 1980,
c. 31

(2) An exemption granted under subsection (1) may be subject to such conditions as may be set out in the by-law.

Conditions

2. A by-law passed under section 1 may be retroactive to the 1st day of January, 1988.

Retroactive
by-law

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

Short title

4. The short title of this Act is the *Windsor Light Opera Association Act, 1989*.

SCHEDULE

Those lands and premises located in the City of Windsor in the County of Essex and being composed of part of lots 60 and 61 according to a plan registered in the Land Registry Office for the Registry Division of Essex No. 12 as Number 867, more particularly described as follows:

Bearings herein are referred to the western limit of Registered Plan 867 shown as having a bearing of north 23° 51' 19" west thereon;

COMMENCING at an iron bar found planted in the eastern limit of said Lot 61 distant 60 feet measured southerly therealong from the north-eastern corner thereof;

THENCE south 23° 39' 24" east and following the eastern limit of said Lot 61 and said Lot 60, 179.80 feet, more or less, to an iron bar found planted at the southeastern corner of said Lot 60;

THENCE south 66° 13' 45" west and following the southern limit of said Lot 60, 177.33 feet, be the same more or less, to an iron bar found planted in the line between the eastern one-half and the western one-half of said Lot 60;

THENCE north 23° 54' 10" west and following the last mentioned limit to and along the line between the east one-half and the west one-half of said Lot 61, 180.00 feet to a found iron bar;

THENCE north 66° 17' 35" east, 178.10 feet to the point of commencement.

Bill Pr83

An Act to incorporate Ukrainian Evangelical Baptist Association of Eastern Canada

Mr. Kozyra

1st Reading January 23rd, 1989
2nd Reading
3rd Reading
Royal Assent

EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

Bill Pr83

1989

An Act to incorporate Ukrainian Evangelical Baptist Association of Eastern Canada

Whereas Ukrainian Evangelical Baptist Association of Eastern Canada hereby applies for special legislation creating it a body corporate; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Association” means the Ukrainian Evangelical Baptist Association of Eastern Canada as it existed before the coming into force of this Act;

“Corporation” means the Ukrainian Evangelical Baptist Association of Eastern Canada incorporated under this Act.

2.—(1) The Ukrainian Evangelical Baptist Association of Eastern Canada is hereby constituted as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and such other persons as become members of the Corporation constitute the Corporation.

Incorporation

(2) The members of the board of directors, members of committees and the officers of the Association in office immediately before the coming into force of this Act are hereby continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Corporation.

Board,
committees,
continued

(3) The constitution and by-laws of the Association in force immediately before the coming into force of this Act, in so far as they do not conflict with this Act, remain valid until amended or repealed by the Corporation.

By-laws, etc.,
continued

Rights and
liabilities
continued

(4) The property and rights of the Association are continued and vested in the Corporation and the liabilities and obligations of the Association are continued in and assumed by the Corporation.

Objects

3. The objects of the Corporation are,

- (a) to establish and carry on missions, places of worship, residences, parsonages, retreat institutions and institutions and agencies for promoting, teaching, propagating and disseminating the Ukrainian Evangelical Baptist faith and doctrine and for training persons for these purposes;
- (b) for charitable purposes, to promote, establish and carry on social service, welfare and guidance institutions and agencies;
- (c) to establish and operate schools, seminaries, institutions of learning, recreational centres and industrial and technical institutes;
- (d) to care for the poor and to establish and carry on, for charitable purposes, clinics, dispensaries, cemeteries and, subject to the *Public Hospitals Act*, hospitals;
- (e) to establish and carry on libraries and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science; and
- (f) to promote generally the spiritual welfare of all the congregations and mission fields of the Corporation.

Board of
directors

4.—(1) The affairs of the Corporation shall be managed by a board of directors.

Membership

(2) The number of directors and their terms of office shall be determined by by-law of the Corporation.

Powers

(3) The board of directors may pass by-laws for the administration, management and control of the property and business of the Corporation.

Dissolution

5. Upon the dissolution of the Corporation and after the payment of all debts and liabilities, the remaining property of the Corporation shall be disposed of to charitable organizations having objects of a religious nature as similar as possible to the Corporation.

6. This Act comes into force on the day it receives Royal Assent. Commence-
ment

7. The short title of this Act is the *Ukrainian Evangelical Baptist Association of Eastern Canada Act, 1989*. Short title



